

Duffy, Daniel

FOI# 14515

From: fmendola@gmail.com
Sent: Wednesday, January 08, 2014 12:18 PM
To: Duffy, Daniel
Cc: Torres Rojas, Genara; Van Duyne, Sheree
Subject: Freedom of Information Online Request Form

Information:

First Name: Gina
Last Name: Longarzo
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Required copies of the records: Yes

List of specific record(s):
PANYNJ PBA Handbook PANYNJ Recruit Handbook-PDIPOI

THE PORT AUTHORITY OF NY & NJ

FOI Administrator

February 25, 2014

Ms. Gina Longarzo
Law Office of Gina Longarzo
400 Main Street
Chatham, NJ 07928

Re: Freedom of Information Reference No. 14515

Dear Ms. Longarzo:

This is in response to your January 8, 2014 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code") for a copy of the Port Authority's PBA Handbook, Recruit Handbook, PDI and POI.

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/14515-O.pdf>. Paper copies of the available records are available upon request.

Certain material responsive to your request is exempt from disclosure pursuant to exemption (4) of the Code.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,

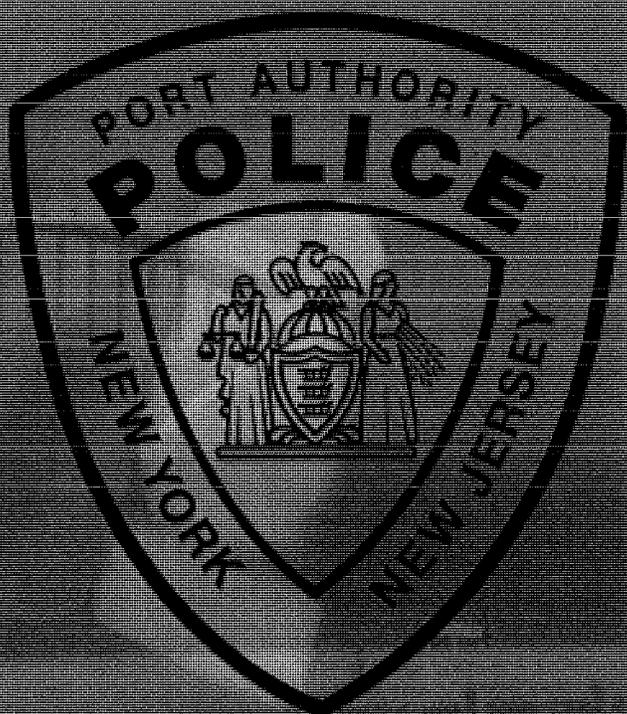


Daniel D. Duffy
FOI Administrator

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PORT AUTHORITY POLICE

or PATROL GUIDE



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POLICE PATROL GUIDE

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DUTIES AND RESPONSIBILITIES

PDI Number	Title	Date
1-1	Police Division Instruction Manual	Sep. 1975
1-2	Oath of Office	Sep. 1981
1-6	Police Inspector - Regular Duties	Nov. 1976
1-7	Deputy Inspector - Duties	Nov. 1976
1-8	Police Captain - Regular Duties	Jun 1973
1-9	Police Lieutenant - Regular Duties	Aug. 1973
1-10	Detective Lieutenant - Duties	Nov. 1976
1-11	Police Sergeant - Duties	Sep. 1976
1-12	Detective Sergeant - Duties	Sep. 1981
1-13	Police Officer - Duties	Sep. 1976
1-14	Detective - Duties	Nov. 1980

POI Number	Title	Date
1-2	Oath of Office	Jan. 1992
1-3A	Mission Statement	Jan. 1992
1-3B	Public Safety Dept. Organizational Chart	Jan. 1992
1-3C	Police Powers	Jan. 1992
9-1	Airport Emergency Roles of TC & Duty Manager	Nov. 1994
9-3	TB&T Emergency Roles of TC & FS7	Nov. 1994

Interim Order Number	Title	Date
13-2000	Personnel and Facility Inspection Program for Command Staff	Nov. 2000

General Order Number	Title	Date
200-01	Security Guard Service	11/16/2011
200-02	ARFF Training, Records Retention and Audits	04/30/2013
200-03	Officers Flying Armed	07/18/2013

PERSONNEL MATTERS

PDI Number	Title	Date
2-1	Seniority Police	Sep. 1981
2-8	Grievance Procedure	Aug. 1976
2-11	Retirement Award	Jul. 1980

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PDI Number	Title	Date
2-12	Meritorious Police Duty Medal	May 1976
2-13	Excellent Police Duty Breast Bar	Mar. 1984
2-14	Police Division Group Citation	May 1977
3-1	Transportation Allowances	Feb.1973
9-6	Emergency Garage Officers Training	Apr. 1965

POI Number	Title	Date
2-1A	Seniority Police Officer	Jul 1983
2-1B	Seniority	Jul 1983
2-1C	Seniority - Police Sergeants	Apr 1984
2-1D	Seniority - Police Lieutenants	Mar. 1988
2-3	Transfer Procedure - Police Officers	Jun. 1980
2-12	Meritorious Police Duty Medal	Jan. 1992
2-14	Police Headquarters Group Citation	Jan. 1992
2-15	Lieutenants Transfer Procedure	Sep. 1981
2-16	Detective Transfer Procedure	Sep. 1981
2-30	Airport Emergency Crew Selection	April 1998

GENERAL REGULATIONS

PDI Number	Title	Date
2-9	Sick Leave Policy	Jul. 1976
2-10	Outside Employment	May 1976
4-15	Lost or Stolen Script or Commutation Books	Sep.1975
5-1	Dissemination of Traffic Information	Dec.1975
5-4	Police Related Press and Public Information	Sep.1975
10-1	Rules of Conduct	Jun. 1976

POI Number	Title	Date
5-9	Use of Deadly Force	Oct.1992
5-10	Use of Non-Deadly Force	Oct.1992
6-1	Off Duty Conduct: Powers of Arrest	Nov.1994

Interim Order Number	Title	Date
12-00	Hand Salute	Nov. 2000

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General Order Number	Title	Date
100-01	Written Directive System	07/28/2011
100-02	Range Rules and Regulations	06/03/2013

DISCIPLINARY MATTERS

PDI Number	Title	Date
2-5	Disciplinary Procedure	Sep. 1981
2-6	Disciplinary Investigation	Jul. 1980
2-7	Incident Report and Lateness Report	Sep. 1981

POI Number	Title	Date
2-17	Sexual Harassment	Jan. 1992

UNIFORMS AND EQUIPMENT

PDI Number	Title	Date
4-4	Use of Sirens	Sep. 1975
4-7	Breathalyzer Use and Procedure	Sep. 1975
4-12	Revolver Inspections at Roll Calls	Sep. 1975
4-17	Intox Driver Video Tape Operation	Jul. 1981
4-23	Use of X-Ray	May 1988
7-5	Police Facility Cameras	Nov. 1975
7-6	Regulation Police Uniforms	Sep. 1981
7-7	Issue of Uniform Buttons and Insignia	Nov. 1975
7-8	Regulation Police Equipment	Sep. 1981
7-9	Police Equipment Sales	Nov. 1975
7-10	Wearing of Port Authority Medals, Awards, and Mourning Bands	Aug. 1976
7-13	Safety Awards	Jan. 1981
8-1	Uniform Inspections	Jun. 1976
8-2	Police Division Staff Inspections	Nov. 1976
9-3	Police Records- Qualifications Clothing and Equipment	Jul. 1980

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POI Number	Title	Date
4-8	Use of Baton and Billy	Oct. 1992
4-12	Oleoresin Capsicum (OC)/ "Pepper Spray" Devices	Nov. 1995

Interim Order Number	Title	Date
02-1997	Guidelines for the Use of the Mobile Data Terminals (MDT)	Jul. 1997
03-1997	Police Vehicle Calibration	Sep. 1997
02-1999	Official Police Vehicle Placards	Feb. 1999
11-2000	NYPD OLBS and Live Scan	Apr. 2000
01-2001	Mobile Video/Audio Recording Equipment	May 2001
02-2002	Millennium Biological - Chemical Mask	Apr. 2002
03-2002	Use of Baton and Billy	Apr. 2002
02-2003	Tyvek Biological- Chemical Suits	Apr. 2003
03-2003	Special Operations for Tactical Weapons	Apr. 2002
05-2003	Procedure for Removal/Return of Explosive Training Aids	Nov. 2003
03-2008	Computer Assisted Identification Checks	Oct. 2008
01-2009	Life Hammer	Apr. 2009
02-2009	E-CDR (Electronic Court Disposition Report), E-TRO (Electronic Temporary Restraining Order)	May 2009
06-2009	Firearms Qualification	Nov. 2009

General Order Number	Title	Date
500-01	Auto-Pulse Cardiac Resuscitation Program	08/24/2011
500-02	Rad-Eye Detection Pager Alarm	03/06/2011
500-03	Special Weapons	10/09/2012
500-04	Bio-Watch Program and Procedures	04/24/2013
500-05	Personal Firearms Registration	03/06/2013
500-06	Service and Personal Firearms	06/03/2013

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PDI Number	Title	Date
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4-16	Bedside Arraignment of a Prisoner in NYC	Sep. 1975

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PDI Number	Title	Date
4-19	Search of Arrested Persons	Sep. 1981
5-5	Release of Criminal Records and Information	Apr. 1975
6-6	Sealing of Criminal Records- NY	Oct. 1976

POI Number	Title	Date
6-2	Safeguarding & Transportation of Prisoners	Nov. 1994
6-3	Arrest & Detention of Foreign Nationals	Feb. 1995

Interim Order Number	Title	Date
01-2000	Automated Traffic System/Complaint System Warrants	Mar. 2000
05-2000	Criminal History Request	Mar. 2000
04-2002	Automated Traffic System/Complaint System Warrants - Revised	May 2002
1-2010	Processing and Temporary Detention of Prisoners	Jul. 2010

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PDI Number	Title	Date
4-9	Speedmeter Testing & Court Testimony in Speed Cases	Sep. 1975
6-1	New York City Universal Appearance Ticket	Nov. 1975
6-2	New York City Summonses in Lieu of Arrest	Nov. 1975
6-3	Desk Appearance Tickets	Nov. 1975
6-4	New Jersey Uniform Traffic Summonses	Nov. 1975
6-5	Court and Official Appearances	Nov. 1975

POI Number	Title	Date
7-1	New York City Universal Summons	Nov. 1995

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PDI Number	Title	Date
4-5	Complaints	Sep. 1975
6-7	Taxi & Limousine Complaints	Jul. 1981

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General Order Number	Title	Date
800-01	Civilian Complaint Review System	02/25/2013

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PDI Number	Title	Date
4-2	Tunnel Motor Patrol	Sep. 1975
4-3	Traffic and Patron Accident Investigations	Sep. 1975
4-8	Accident Entries in Police Blotters	Sep. 1975
5-3	Receipt and Distribution of Police Alarms	Dec. 1975

POI Number	Title	Date
5-1	Communications Procedures & Code Signals	Jan. 1992
5-7	Escort of Persons and Safe Carriage of Weapons Aboard Aircraft	Jan. 1992
5-11	Bias Incidents	Jan. 1992
5-12	Exposure Control Plan: Blood borne Pathogens	Mar. 1994
5-13	Crime Scene	Nov. 1995

Interim Order Number	Title	Date
01-1997	Procedure re: K-9 Explosive Detection Team	May 1997
01-1998	Motor Vehicle Violation Warning Program	Jan. 1998)
01-1999	Crime/Violations Aboard Aircraft	Feb. 1999
02-2000	Bicycle Patrol	Mar. 2000
06-2000	Diplomatic Immunity	Mar. 2000
08-2000	Motor Vehicle Stops	Mar. 2000
09-2000	Police Victim Assistance	Mar. 2000
10-2000	Wanted/Missing Person Inquiries	Mar. 2000
01-2006	Racially Influenced Policing	Jan. 2006
02-2006	Missing and Unidentified Persons Policy	Mar. 2006
02-2007	Impound and Inventory Procedure- New Jersey	Feb. 2007
03-2007	Impound and Inventory Procedure- New York	Feb. 2007
03-2010	Command Codes	Sep. 2010

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General Order Number	Title	Date
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1000-02	Vehicle Inspections	10/05/2012
1000-03	Vehicle Pursuits	03/27/2013

MOBILIZATION/EMERGENCY INCIDENTS

PDI Number	Title	Date
4-6	Bomb Threats	Sep. 1975

POI Number	Title	Date
9-2	In Water Emergency- Airports	Nov. 1995

Interim Order Number	Title	Date
03-2000	Civil Disturbances	Mar. 2000
04-2000	Confrontation Situations	Mar. 2000
07-2000	Line of Duty Death/Serious Injury Notifications	Mar. 2000
01-2002	Response to Biological Terrorism	Jan. 2002
02-2004	Mobilization Response	Jul. 2004
04-2009	Remington 700P Scoped Rifle Utilization and Deployment Procedures	Nov. 2009

General Order Number	Title	Date
900-01	Rapid Response To An Active Shooter	08/24/2011

POLICE PATROL GUIDE
DUTIES AND RESPONSIBILITIES

I. INTRODUCTION

The Police Division utilizes a system of written instructions designated as Police Division Instructions (P.D.I.'s), a complete set of which constitutes the Police Division Instructions Manual. This Manual is designed to provide a source of standing Police Division policies and procedures.

II. DESCRIPTION

- A. P.D.I.'s are official directives from the Superintendent of Police to all members of the force, setting forth administrative policies, procedures, and regulations of general applicability and long-term effect and usefulness. As such, they assume precedence over any similar instructions or notices issued at unit levels.
 - B. In general, P.D.I.'s deal with the following subjects:
 - 1. Overall structure and functions of the Police Division organization.
 - 2. Regulations, Policies, Standards and Procedures affecting members of the force.
- P.D.I.'s are issued only by authority of the Superintendent of Police.

III. FORMAT

In order to provide uniformity of style and presentation, the format of the P.D.I. is arranged so as to follow the sequence described below:

- A. Heading - including a numerical identification of the instructions (see Par. IV) and date of issuance.
- B. Brief description of the title.
- C. Introduction - briefly describing the purpose and/or nature of the instruction.
- D. Policy statement - included wherever applicable.
- E. Body - describing in detail the operation, or applicability, of the policy, process or procedure.
- F. Appendices as required.

IV. NUMERICAL IDENTIFICATION

P.D.I.'s are classified and coded by subject and are numbered in accordance with a system comprising the following elements:

- A. Primary -number - this number identifies the major sections of the Police Division Instruction.
- B. Secondary number - this number identifies the order in which each P.D.I. appears in its section. (P.D.I. 4-2 indicates the second P.D.I. in Section 4)

V. TABLE OF CONTENTS

- A. The Table of Contents is a listing of all current P.D.I.'s, grouped by subject matter, in the numerical sequence in which they appear in the manual. Also

listed is the date of issuance of each Instruction, or if revised, the date of the last revision.

- B. The Table of Contents also provides for a Change Notice Control -Sheet on which pertinent data concerning change notices is to be recorded. (See Appendix C, Exhibit I).
- C. The Planning and Administrative Section is responsible for the publication of a corrected Table of Contents at periodic intervals, as may be warranted.

VI. MANUAL BINDERS

All P.D.I.'s, which are of current effect, are maintained in proper numerical sequence in special ring binders supplied to manual holders. As new instructions are issued, they are inserted in the binder in proper order.

VII. MAINTENANCE OF THE MANUAL

Commanding Officers are responsible for taking necessary measures to insure proper maintenance of Manuals issued to holders at their respective facilities. The Planning and Administrative Section maintain a list of manual holders. New or revised instructions, change notices, and revised editions of the Table of Contents and Index are distributed as described in Section IX, by this section.

VIII. RESPONSIBILITY

- A. The Planning and Administrative Section is responsible for:
 - 1. Preparation of all P.D.I.'s
 - 2. Reviewing all proposed P.D.I.'s or proposed revisions for form and substance.
 - 3. Coordinating the clearance of all proposed P.D.I.'s or proposed revisions and obtaining final approval from the Superintendent of Police.
 - 4. Periodically conducting an overview of the P.D.I. Manual to discover obsolete P.D.I.'s, which should be rescinded, out-of-date P.D.I.'s, which should be revised, gaps in the manual requiring new P.D.I.'s, and initiating necessary action based on this review.
 - 5. Seeing that copies of new or revised P.D.I.'s are reproduced and distributed to all manual holders.
 - 6. Maintaining the P.D.I. system on an overall basis.
- B. Police Division Sections (Operations, Planning, Inspections, Emergency Service) will be responsible for reviewing P.D.I.'s contained within their sphere of particular interest, in order to initiate the appropriate action for amending the P.D.I.'s.

IX. DISTRIBUTION

Copies of all P.D.I.'s will be distributed to and maintained by the following:

- 1. The Superintendent of Police
- 2. The Police Inspector
- 3. Manager - Police Planning and Administration

4. All Deputy Inspectors
5. The Investigative Unit
6. All Commanding Officers. Copies to be maintained at:
 - a) The captain's office
 - b) The police desk (c) the police reserve room
7. Police Academy. Sufficient copies to be maintained for
8. Training purposes.
9. Police Division Planning and Research Lieutenant
10. Law Department.
11. Personnel Department
12. Director of Administration
13. Management Services Department
14. Office of the Port Authority Secretary
15. Port Authority Library
16. President - Port Authority Police Benevolent Association (N.Y.)
17. President - Port Authority Sergeant's Benevolent Association
18. President - Port Authority Superior Officer's Association

X. P.D.I. PROCEDURES

The procedure to be used when preparing a Police Division Instruction is outlined in Appendix A of this instruction (Preparation of the P.D.I.).

The clearance process for the P.D.I. is covered in Appendix B.

Appendix C refers to the Change Notice and its uses.

Appendix D refers to the procedure for processing obsolete P.D.I.'s.

An Interim P.D.I. procedure has been developed to deal with new subjects heretofore not covered in the P.D.I. manual (see Appendix 8).

APPENDIX APREPARATION OF THE P.D.I.

Any member of the force may propose either a revision to an existing P.D.I. or the subject for a new P.D.I.

The following steps will be followed when proposing a revision or a new P.D.I.

- A. The proposal will be reduced to writing, with a draft copy of the proposed P.D.I. attached, and submitted to the member's immediate supervisor for review.
- B. The supervisor will review the proposal to insure that the information contained in the proposal:
 1. Is factual and the change is warranted;
 2. Does not already appear elsewhere in the-P.D.I.'s;
 3. Does not conflict with information in memoranda of agreement or the the-P.D.I.'s
- C. After review, if the supervisor agrees that the proposal should be developed into a P.D.I. (or P.D.I. change) he will forward it with his comments to his superior for review.
- D. If approved, the proposal will be forwarded to the Planning and Research Lieutenant where it will be logged and then submitted to the appropriate Police Division Section, for review.

The appropriate Police Division Section will review the proposal. If it is recommended that a proposal is valid and should be pursued, it will be forwarded to the Planning and Administrative Section where it will be researched and a preliminary review P.D.I.

APPENDIX B

P.D.I. CLEARANCE PROCESS

- A. Upon completion of the first draft of the P.D.I. it will be circulated to the Senior Police Division staff for review and comments.

Upon receipt of these comments, a final draft will be developed and forwarded to the following departments and units for review:

1. Facility Commanding Officers.
2. Law Department.
3. Management Services Department (where the subject may refer to the subject of a P.A.I.)
4. General Managers (where the P.D.I. may affect the operation of a Line Department)

Review by Police Division Staff and Facility Commanding Officers will be limited as described in the transmittal memorandum. Comments must be forwarded to the Police Division Research Lieutenant. If additional review time is required, a written request must be made by the Commanding Officer to the Manager, Police Planning and Administration. Failure to respond within the prescribed time period will denote approval of the draft P.D.I.

- B. Upon receipt of comments from all interested parties, a final P.D.I. will be written and forwarded to the Superintendent of Police for final approval.
- C. Upon approval of the Superintendent of Police, the P.D.I. will be sent to the Duplicating Section of Communications Services where it will be reproduced and subsequently sent to the mail room for distribution as described in section IX.

APPENDIX CTHE P.D.I. CHANGE NOTICE

Minor revisions to the P.D.I., such as simple corrections, deletions or additions, do not justify the issuance of a completely revised P.D.I. This type of change can be made in writing.

Example: Changes in telephone numbers and addresses.

The Planning and Administrative Section issue change Notices.

Minor revisions are brought to the attention of manual holders by the issuance of "Change Notices."

- A. Change notices list a specific change or changes to be made in pen and ink by manual holders.
- B. Change Notices are numbered serially, thus insuring all manual holders that they have received all such notices.
- C. Upon receipt of a Change Notice, the manual holder:
 1. Makes the necessary change or changes;
 2. Enters the number of the Change Notice in the margin adjacent to the change; and
 3. Enters on the Change Notice Control Sheet (Exhibit I) provided with the Table of Contents, the number of the Change Notice, the date. The P.D.I., the paragraph number(s) amended, and his initials to indicate that the change has been made.
 4. Lists the change notice number in the Table of Contents next to the appropriate P.D.I.
- D. The Change Notice can then be discarded. The Police Division Research Lieutenant keeps a master set of Change Notices.

APPENDIX D

OBSOLETE P.D.I.'s

1. Obsolete P.D.I.'s are brought to the attention of Manual holders through the Change Notice system described above.
2. In addition to removing the affected P.D.I. from the manual, the manual holder should line out the appropriate title in the Table of Contents and enter the Change Notice number in the margin.

APPENDIX E

THE INTERIM P.D.I.

The Interim P.D.I. is an instruction dealing with a major subject heretofore not covered in the Interim P.D.I.'s are issued pending the review and clearance of a formal P.D.I. on the subject.

The Interim P.D.I. is numbered and dated so as to correspond to the section of the manual that the subject falls in.

The Interim P.D.I. is kept at the rear of the appropriate section until such time as the formal P.D.I. is developed. When the new P.D.I. is placed in the appropriate section of the manual, the Interim P.D.I. may be discarded.

The Interim P.D.I. will be listed in the Table of Contents, at the end of the appropriate section. When a permanent P.D.I. is developed, the Interim P.D.I. will be crossed out. The date and new P.D.I. number will be entered in the margin. The new P.D.I. will then be listed in its proper place in the Table of Contents.

REVIEW PROCESS

The Interim P.D.I. may be proposed by any member of the force (as outlined in Appendix A).

After being drafted, the Interim P.D.I. will be forwarded to:

1. The Planning is Research Lieutenant, where it will be logged and then forwarded to the appropriate Police Division Section, depending upon the subject matter.
2. In the event the subject involves a specific department, that department will be consulted (i.e. Public Affairs, Automotive, etc.)
3. Law Department for review and comment.

After receipt of the comments, a final Interim P.D.I. would be developed and submitted to the Superintendent of Police for approval.

Following approval by the Superintendent of Police, the Interior would be processed as outlined in Appendix P, paragraph C.

PORT AUTHORITY POLICE
OATH OF OFFICE

STATE OF NEW JERSEY)
SS. :
COUNTY OF HUDSON)

I, _____, do solemnly swear that I will support the Constitution of the United States and the Constitutions of the states of New York and New Jersey, and that I will faithfully discharge the duties of Police Officer in and for the Port Authority of New York and New Jersey, according to the best of my ability.

I do further solemnly swear that I will bear true faith and allegiance to the Constitution of the United States and the constitutions of the said states and to the governments established in the United States and in the said states, under the authority of the people; and will defend them against all enemies, foreign and domestic; that I do not believe in, advocate or advise the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in the government established in the United States or in the said states; and that I am not a member of or affiliated with any organization, association, party, group or combination of persons, which approves, advocates, advises or practices the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in any of the said governments so established; and that I am not bound by any allegiance to any foreign prince, potentate, state or sovereignty whatever.

Signature

Subscribed and sworn before
me this day of, 200

POLICE INSPECTOR

Under the supervision of the Superintendent of Police, performs responsible administrative duties in developing police security standards and programs and maintaining standards in the field. Work is performed within established policies and general directions, but independence is used in the normal execution of duties. Work is subject to review of superior through conferences, reports and appraisal of results achieved

REGULAR DUTIES

1. Directs inspections to insure maintenance of established police and security standards including uniforms of police personnel; adequacy of conduct rules and regulations; traffic control; law enforcement and accident investigation policies and standards; and the condition of police quarters, equipment and supplies. Discusses unsatisfactory conditions with superior officers or managers of facilities and recommends corrective measures.
2. Makes personal observations to ascertain the fidelity with which established procedures are followed, appraise the morale and attention to duty of police personnel, evaluate public reactions to the police and determine working conditions of assigned personnel. Prepares reports to superior on the results of inspections and observations.
3. Directs the police-training program for all ranks by providing information needed in the performance of duty or in meeting responsibilities, developing ability to perform duties and developing ability to exercise sound judgment in the performance of duties.
4. Develops and establishes standards for the control and issuance of uniforms, insignia, firearms and other personal equipment. Recommends general regulations to superior for the maintenance of police discipline.
5. Studies and makes recommendations on the training, operating procedures and equipment of police personnel assigned to firefighting and emergency services.
6. Screens requests for illustrative and technical data on Port Authority facilities from unfamiliar sources. Reviews and comments on suggestions, plans and specifications submitted to the division.
7. Develops emergency and civil defense plans for the Port Authority and integrates the local plans of each facility into the program. Arranges for employee training, conducts tests and makes recommendations on equipment, supplies and other preparation needed for the program. Coordinates the Port Authority program with the procedures of governmental civil defense organizations.
8. Assists other departments in arranging and conducting inspection trips, ceremonies and other events requiring the use of police personnel.

9. Contacts various law enforcement and firefighting organizations to coordinate Port Authority Police programs with their activities in times of emergency and to obtain data on new innovations.
10. Performs related duties as assigned.

DEPUTY INSPECTOR

The Deputy Inspector works under the direction of the Superintendent of Police, Police Inspector or manager, Police Planning and Administration. Duties are performed within established policies and general directions, but independent judgment is used under both normal and emergency circumstances. Work is reviewed through conferences, reports and appraisal of results achieved.

REGULAR DUTIES

1. Reviews existing police operational standards for effectiveness and insure proper enforcement of existing laws, Port Authority instructions, and Police Division regulations.
2. Makes personal observations to ascertain the fidelity with which established procedures are followed, appraise the morale and attention to duty of police personnel, evaluate public reactions to the police and determine working conditions of assigned personnel. Prepares reports to superior on the results of inspections and observations. Recommends and coordinates implementation of law enforcement programs directed at specific problem areas.
3. Reviews and appraises performance of Facility Commanding Officers.
4. Reviews and approves special plans for Police activities and traffic control. Coordinates same with top ranking officials of other local law enforcement agencies.
5. Administers the Central Police Pool.
6. Commands an inspection team which, through scrutinization of records, questioning of individuals and screening of prior reports to Division, determines the adequacy of all aspects of Police operations, including supervision, condition of equipment, appearance, morale and integrity of personnel, staff productivity, and emergency and administrative procedures.
7. Prepares appropriate reports to the Superintendent of Police summarizing findings.
8. Provides assistance to Facility Commanding Officers in developing local inspection programs.
9. Determines the need for revision or improvement of Police Division facility-wide standards based on findings of similar problems at various facilities.
10. Makes periodic unannounced spot inspections of facilities at all hours to ascertain command readiness and adherence to procedures.
11. Conducts inquiries and investigations into allegations of misconduct by members of the Police Force.

12. Evaluates all contingency plans for possible emergencies at all facilities. Reviews all such plans, assists in their modification and development, and evaluates their effectiveness under simulated and actual conditions.
13. Provides technical assistance to Facility Commands in investigating causes of equipment malfunctions and correct same responds to actual emergencies to provide technical assistance when problems develop.
14. Develops, schedules and evaluates emergency training programs; develops and updates emergency operating manuals and assists Facility Commanding Officers in developing local training programs.
15. Keeps abreast of new technology in emergency situations; evaluates prototype emergency equipment; recommends changes in procedures as appropriate. Works closely with the Central Automotive and Risk Management Divisions in developing new equipment and emergency plans.
16. Continually reviews quality and adequacy of all emergency equipment including vehicles and recommends additions or changes where appropriate.
17. Supervises the processing of all Police personnel matters including merit increases, transfers, education refunds, sick leave, disciplinary procedures and payroll notices. Supervises the maintenance of all Police Division personnel files, performance ratings, and disciplinary actions.
18. Coordinates standardization of procedures and practices as negotiated in Memoranda of Agreement, prepares grievance responses, maintains liaison with related Police employee associations, and provides contract interpretation expertise. During the negotiation of new police labor agreements analyzes the impact of proposed procedures on operations and the economics of such items, and provides relevant background data concerning current and past police practices.
19. Directs the preparation of the Police Division budget and long-range forecasts. Analyzes and develops budget factors and supporting data. Supervises the preparation of all facility police budgets. Reviews budget performance of all police units.
20. Administers all Police disciplinary actions. Provides for the processing of all actions, convenes trials where necessary, supervises the submission of Waivers of Rights to Hearing, and oversees the dispensation of all punishments. Acts as Police Division Prosecutor at Trial Boards. Planning and Research - Supervises activities such as the analysis of manpower utilization, development of information systems, and the projection of future manpower requirements
21. Performs related duties as required.

POLICE CAPTAIN

Under the supervisory of a facility manager, plans, coordinates and supervises traffic and police activities at a major Port Authority facility. Work is normally performed within established policies and regulations, sound judgment and decisive action are required in emergencies and in meeting work problems. Work is subject to review through reports, conferences and effectiveness of traffic and police measures taken.

Individual Police Captain positions may require the performance of any combination of the following duties:

REGULAR DUTIES

1. Plans traffic and police activities at a major Port Authority Facility.
 - a. Makes recommendations on the need for police coverage at specific areas/locations.
 - b. Supervises the preparation of police work schedules and assignments.
2. Supervises the preparation of the facility police budget.
3. Is responsible for emergency equipment/crews at an airport facility.
 - a. Supervises fire-fighting and rescue operations.
 - b. Supervises the instruction of subordinates in the operation and use of airport emergency equipment.
4. Is responsible for emergency equipment/crews at a tunnel or facility.
 - a. Supervises fire-fighting and rescue operations.
 - b. Supervises the instruction of subordinates in the operation and use of emergency equipment.
5. Conducts facility inspection for fire and other hazards and implements corrective measures when warranted.
6. Supervises Police Lieutenants and through them, their subordinates, to assure:
 - a. Proper operation of emergency equipment.
 - b. Enforcement of Port Authority Rules and Regulations.
 - c. Enforcement of traffic and criminal statues.
 - d. Compliance of Police Division and facility instruction.
7. Inspects equipment and quarters assigned to facility police and implements corrective measures when warranted.
8. Makes recommendations on the need for new or additional police equipment.

9. Reviews reports of criminal activity, accidents, unusual occurrences and other police activities and initiates corrective measures when warranted.
10. Investigates all complaints involving facility police personnel or police operations.
 - a. Notifies the Inspector of Police of the nature of the complaint.
 - b. The results of the investigation, with recommendations, are forwarded to the Deputy Inspector who is responsible for the activities of the affected facility.
11. Confers with representatives of other Criminal Justice Agencies on matters of mutual concern.
12. Inspects other than assigned facility on an unscheduled basis.
 - a. To observe police activities.
 - b. Appraise the effectiveness of the police operation and its conformance to established procedure and standards.
 - c. Submits a report of the unscheduled inspection to the Deputy Inspector of Police who is responsible for the activities of the inspected facility.
13. Performs related duties as assigned.

POLICE LIEUTENANT

Under the direct supervision of a Police Captain or an Administrative Superior, plans and supervises the activities of Police Officers and Police Sergeants at a large Port, Authority facility. Work is generally performed in accordance with established rules and regulations, but in emergencies or unusual circumstances sound judgment and initiative are needed to take effective action. Work is subject to review through reports and inspections of superior.

Individual Police Lieutenants may perform any combination of the following duties:

REGULAR DUTIES:

1. Plans and prepares specific work schedules and makes work assignments. Observes the work of police personnel under his supervision and instructs them in the performance of their duties. Issues notices and local regulations, and at the scene of unusual occurrences, directs police activities.
2. Inspects the equipment and quarters assigned to police personnel, gives directions on its operation or use, and makes arrangements for its repair and maintenance.
3. Makes investigations of unusual occurrences and other traffic and police matters, prepares reports of findings for superior, and takes or requirements corrective measures.
4. Is responsible for the completion and maintenance of a variety of police records.
5. Supervises the direction and control of vehicular traffic in accordance with established traffic flow and routing patterns, and the enforcement of traffic regulations. Directs the removal of stalled vehicles from bridge, tunnel and other roadways and checks on the use, operation and maintenance of towing equipment.
6. Plans and supervises the policing of public, tenant and Port Authority area for security purposes. Enforces Port Authority rules and regulation and public laws. Investigates unusual acts and occurrences, and takes corrective action or makes recommendations to superior.
7. Supervises the training of emergency crews; directs the operation, use and care of emergency equipment; and supervises fire fighting, towing and rescue activities.
8. Inspects buildings, roadways, open areas and facility activities for accident hazards and insures enforcement of fine, traffic safety and.
9. Maintains liaison and cooperates with police personnel of Criminal Justice Agencies adjoining Port Authority facilities and with representatives of other law enforcement agencies.
10. Performs related duties as assigned.

DETECTIVE LIEUTENANT

The Detective Lieutenant works under the general supervision of the Commanding Officer, Investigative Unit. He is the responsible supervisor for subordinate Investigative Unit personnel and performs a variety of administrative duties associated with the management of the Investigative Unit. Work is subject to review through reports, conferences and results achieved.

REGULAR DUTIES

1. Plans and prepares specific works schedules and designates work assignments. Observes the work of personnel in the Investigative Unit and instructs them in the performance of their duties. Issues notices and local regulations; and at the scene of a crime or other unusual occurrence, assumes control of the investigation.
2. Inspects the equipment and quarters assigned to detective personnel; give direction on its operation or use; makes arrangements for its repair and maintenance.
3. Conducts investigations of unusual occurrences and other security related matters; prepares reports of findings for superiors and initiates or recommends corrective measures.
4. Responsible for the maintenance and completion of records on investigative and security activities.
5. Plans and supervises the policing of public, tenant, and Port Authority areas for security purposes. Enforces Port Authority rules and regulations and public laws. .
6. Maintains liaison with airlines and other police agencies.
7. Evaluates new investigative techniques and recommends adoption of those most suitable to Port Authority requirements.
8. Develops overall plans for security measures at Port Authority facilities.
9. Performs the duties of the Commanding Officer, Investigative Unit, in his absence.
10. May perform a variety of related administrative

POLICE SERGEANT

Under the immediate supervision of a Police Captain, Police Lieutenant or, in some Cases, of an administrative superior, is responsible for the activities of a group of Police Officers. Work is generally performed in accordance with established rules and regulations, but in emergencies or unusual circumstances sound judgment and initiative are needed to take effective action. Work is subject to review through reports and inspections of superiors.

Individual Police Sergeant positions may require the performance of any combination of the following duties:

REGULAR DUTIES

1. Inspects the appearance and equipment of Police Officers at the beginning of tours and records absences. Assigns posts and specific duties to officers. Observes their work, and as needed, gives instructions in the performance of their assigned duties. Issues special instructions and assignments at the scene of unusual activities.
2. Reviews reports on daily activities and on unusual incidents submitted by officers. Makes special investigations of unusual happenings or conditions as directed.
3. Trains and instructs new Police Officers in specific facility assignments, procedures and practices, including detailed traffic control and routing techniques, equipment operation, communication procedures, etc.
4. Supervises the placing of traffic barriers, and distribution of traffic. May examine vehicles and cargo to determine conformance to regulations for admittance to Port Authority facilities.
5. Is responsible for the activities of an emergency garage at a bridge or tunnel facility on an assigned tour. Supervises and instructs Police Officers in the use of tractors and towing equipment to remove stalled vehicles from traffic lanes. Directs and participates in towing, firefighting and first aid activities at the scene of emergencies.
6. Is responsible for firefighting and crash equipment and crews at an airport facility on an assigned tour. Directs and participates in firefighting and rescue work, and supervises and instructs Police Officers in the operation and use of emergency equipment. Maintains facility police records and acts as custodian of found property until properly disposed of.
7. Is responsible for the protection of life and property at a facility on an assigned tour. Supervises and participates in patrolling areas, observing vehicular and pedestrian traffic, preventing crime, answering inquiries, etc.
8. When assigned to the Central Police Desk, is responsible for the assignment of Central Police Pool personnel, for proper notification of superiors in cases of serious occurrences and for the maintenance of records.
9. Performs related duties as assigned.

DETECTIVE SERGEANT

Under the direct supervision of the Commanding Officer, Criminal Investigation Bureau, or Detective Lieutenant who checks his work through reports and periodic inspection, is responsible for the activities of a group of detectives and plainclothesmen. Work is generally performed with standard practice and established rules and regulations, but in emergencies, sound judgment and initiative are used in adopting the best course of action. He may be required to perform any combination of the following duties:

REGULAR DUTIES

1. Observes the appearance and equipment of detectives or plainclothesmen assigned to him and records absences. Assigns investigations, follow-ups, surveillances and other related specific duties to personnel. Observes their work and as needed, gives instructions in the performance of their assigned duties. Issues special instructions and assignments at the scene of unusual activities.
2. Reviews reports on daily activities and unusual incidents submitted by officers. Conducts special investigations of unusual happenings or conditions as directed. May, at the direction of higher-level supervisory officer, engage in confidential investigations emanating from the office of the Superintendent of Police.
3. Trains and instructs new plainclothes personnel in specific unit assignments, procedures and practices including established investigative techniques, equipment operation, communications procedures, etc.
4. Evaluates detectives and plainclothes personnel performance, submitting recommendations for advancement, assignment and merit salary increases.
5. Has responsibility for the completion and maintenance of records and communications relating to investigative activities.
6. Plans and supervises the policing of public tenant and Port Authority areas for security purposes. Enforces Port Authority rules and regulations and public laws.
7. May perform other comparable related police duties.

POLICE OFFICER

Under the immediate supervision of a Police Sergeant maintains law and order and protects life and property at or in the vicinity of Port Authority facilities. Normal duties are performed according to established rules and regulations but in emergencies sound judgment and initiative are required to adopt the best course of action. Work is subject to check through reports and frequent inspections by superiors.

Individual Police Officer positions may require the performance of any combination of the following duties:

REGULAR DUTIES

1. Directs the movement of vehicular and pedestrian traffic at or in the vicinity of a facility. Controls and expedites traffic movement in accordance with established patterns of traffic flow and routing under normal conditions, but in unusual circumstances devises temporary traffic regulation methods.
2. Patrols assigned posts or areas by foot or automobile. Observes the flow of vehicular traffic and takes appropriate actions to prevent or clear stoppages and prevent violations of traffic regulations. Patrols assigned areas to protect property, to prevent unlawful conduct and incidents, and to caution or to apprehend violators.
3. Operates tractors and towing equipment and removes stalled vehicles from tunnel, bridge and contiguous roadways. Operates emergency equipment and responds to alerts at airports. Fights fires, administers first aid and takes other related actions as needed in emergencies.
4. Enforces traffic regulations as a peace officer. Issues summons, and prefer charges against violators of municipal and state statutes, and gives testimony as required.
5. May perform duties such as the following on specific assignments:
 - a. Checks the weight, size and cargo of vehicles to determine conformance to hazardous cargo and other regulations and eligibility for admittance to Port Authority facilities.
 - b. Acts as aide to superior officer. Maintains records, prepares reports and work schedules, checks roll calls and squad assignments and acts as custodian of police records, supplies and found property.
 - c. Mans police desk at a facility. Maintains police blotter and various logs and records. Receives complaints, and answers questions and performs miscellaneous clerical duty.

6. Is responsible for the protection of life and property at a facility on an assigned tour. Supervises and participates in patrolling areas, observing vehicular and pedestrian traffic, preventing crime, answering inquiries and performing related police duties.
7. When assigned to the Central Police Desk, is responsible for the assignment of Central Police Pool personnel, proper notification of superiors in cases of serious occurrences and the maintenance of records.
8. Performs other related duties as assigned.

DETECTIVE

Under the direct supervision of the Commanding Officer of the Investigative Unit, a Detective Lieutenant and a Detective Sergeant, performs confidential investigatory functions for the purpose of maintaining internal security at Port Authority facilities and preventing unlawful conduct. Detectives normally work according to established rules and regulations, but in unusual circumstances are required to use initiative and sound judgment in adopting the best course of action. In accomplishing this responsibility, he may be required to perform any combination of the following duties:

REGULAR DUTIES

1. Maintains internal security at Port Authority facilities by observing activities, collecting information on personnel, property and operations, establishing factual evidence of conduct in violation of Federal, State and Municipal laws and Port Authority Rules and Regulations, apprehending violators and giving testimony in the prosecution of violations and criminal offenses.
2. Maintains surveillance, conducts investigations and takes appropriate police action to prevent or apprehend perpetrators of theft, robberies, sex offenses, homicides and similar criminal activities in public and other areas at Port Authority facilities.
3. Investigates the loss of Port Authority funds and property as a result of theft, fraud and other unlawful acts involving revenues, use fees, equipment and fixtures, claims, etc.
4. Investigates and takes appropriate police action in connection with report incidences and conditions such as complaints against members of the Port Authority Police, narcotics use and traffic, soliciting, bomb threats, juvenile mischief, loitering, pickpockets, unlawful possession of weapons, telephone coin box thefts, stowaways and fugitives, burglaries and larcenies at Port Authority facilities.
5. Makes character investigations of new employees including Police Officer candidates and report on their suitability for Port Authority employment, verifies and report on the background of prospective tenants of Port Authority facilities. Participates in arranging and providing protection for well-known visitors to Port Authority facilities. Investigates and gathers evidence concerning serious motor vehicle accidents and aircraft emergencies.
6. Under the direction of the Internal Affairs Division Commanding Officer, and while assigned to Internal Affairs Division, may participate in confidential internal investigations emanating from the office of the Superintendent of Police.
7. Performs other comparable related duties as assigned.

Subject: Oath of Office

P.O.I. 1-2

Issued: January 1, 1992

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Revised

Effective: January 15, 1992



POLICE OPERATIONS MANUAL

OATH OF OFFICE

State of New Jersey

ss.:

County of Hudson

I, _____ do solemnly swear that I will support the Constitution of the United States and the Constitutions of the States of New York and New Jersey, and that I will faithfully discharge the duties of Police Officer in and for The Port Authority of New York and New Jersey, according to the best of my ability.

I do further solemnly swear that I will bear true faith and allegiance to the Constitution of The United States and the Constitutions of the said states and to the governments established in the United States and in the said states, under the authority of the people; and will defend them against all enemies, foreign and domestic; that I do not believe in, advocate or advise the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in the government established in the United States or in the said states, and that I am not a member of or affiliated with any organization, .association, party, group or combination of persons, which approves, advocates, advises or practices the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in any of the said governments so established; and that I am not bound by any allegiance to any foreign prince, potentate, state or sovereignty whatever.

Signature

Subscribed and sworn before me

This _____ day of _____, 20 _____

Formerly,



POLICE OPERATIONS MANUAL

PUBLIC SAFETY DEPARTMENT MISSION STATEMENT

The overall mission of the Public Safety Department is to plan, develop, implement and administer policies and programs, which provide for an effective police force and result in the suppression of crime, the preservation of law and order and the protection of life and property.

This mission recognizes the need for a consistent and comprehensive dialogue with all Port Authority departments in order to develop and deliver services in a cost-effective manner that is compatible with overall Port Authority business objectives, as well as, the need to provide a safe and secure environment for patrons, tenants and employees at all Port Authority facilities.

The Public Safety Department's strategic objectives are to:

- Improve the productivity of police resources through the use of proven technology.
- Enhance the flexibility of police leadership to deploy police resources in the most effective and efficient manner possible.
- Improve the training curriculum for all ranks to achieve an understanding of the relationship between the Port Authority mission and the Public Safety mission.
- Maintain consistent and meaningful communications with line department management in order to meet overall business objectives and customer service levels.
- Provide all departments with a satisfactory level of investigatory, consulting and reporting services to assist them in strengthening crime prevention programs and maintaining a satisfactory level of integrity in conducting Port Authority business.
- Improve the coordination and direction of the Public Safety mobilization response to emergencies or other unusual occurrences at Port Authority facilities.

Formerly,

Subject: Mission Statement

P.O.I. 1-3 A

Issued: January 1, 1992

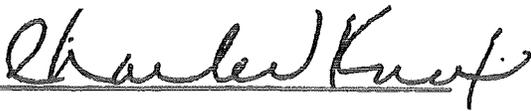
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- Maintain a professional working relationship with domestic and international law enforcement agencies for meeting Public Safety Department goals.
- Establish an effective managerial support system to improve the efficiency with which police services are delivered.

By order, of:



Director, Public Safety Department
Superintendent of Police

Formerly,



POLICE OPERATIONS MANUAL

POLICE POWERS

POLICE POWERS IN NEW YORK

Members of the Port Authority Police are designated Police Officers by Section 1.20, Subsection 34K, Criminal Procedure Law of New York which states:

34. "Police Officer." The following persons are Police Officers:

(K) A sworn officer of a police force of a public authority created by an interstate compact.

POLICE POWERS IN NEW JERSEY

The authority of the Port Authority Police force is set forth in N.J.S.A. 32:2-25. (Source. Laws of New Jersey, 1932, Chapter 113)

This section provides that members of the Port Authority Police force shall have all powers conferred by law on police officers as constables in the enforcement of laws of the state and apprehension of violators thereof.

By order of:

A handwritten signature in cursive script, appearing to read "Charles Krut".

Director, Public Safety Department
Superintendent of Police

Formerly

Subject: Airport Emergency Roles of TC & Duty
Manager

P.O.I. 9-1

Issued: November 1, 1994

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Revised:

Effective: November 14, 1994



POLICE OPERATIONS MANUAL

THE POLICE TOUR COMMANDER AND AIRPORT DUTY MANAGER ROLES DURING AN AIRPORT EMERGENCY INCIDENT

The following has been prepared to reflect the agreements reached by the Aviation and Public Safety Departments on the roles of the Airport Duty Manager and the Police Tour Commander during Airport incidents, and is intended to ensure that those individuals who fill these important assignments are aware of the Port Authority's expectations with respect to the discharge of their duties.

The Airport Duty Manager is the representative of the Airport General Manager and is fully empowered to act on all matters with respect to the safe and efficient operation of the airport. The Airport Duty Manager is expected to coordinate the activities of the civilian staff in the absence of senior airport management, and maintain liaison with the FAA in matters involving the AOA including the official closing and reopening of a portion of or the entire airport for aeronautical use.

The Port Authority Police Tour Commander is the duty representative of the Police Commanding Officer and is fully empowered to act on all matters concerning law enforcement, aircraft rescue and fire fighting activities, and public safety. The Tour Commander also represents the Port Authority in dealings with other public safety providers both off and on the airport including external Police and Fire Departments and Emergency Medical Services.

The Port Authority expects the Airport Duty Manager and the Police Tour Commander to work together and in support of each other to ensure the proper coordination of airport operations - both air and landside - and the provision of support services and resources to achieve the quickest, most effective resolution of an airport problem or emergency situation.

Subject: Airport Emergency Roles of TC & Duty
Manager

P.O.I. 9-1

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The cooperative interaction of the Airport Duty Manager and the Tour Commander is most critical during an aircraft emergency incident and since those interactions and responsibilities provide a guideline for other types of emergencies, it is useful to spell-out in broad terms the Port Authority's expectations of what should occur during an actual aircraft emergency incident. It is virtually impossible to provide direction for every conceivable incident scenario, so we continue to rely on the professionalism, cooperation, experience and common sense of those involved.

ACTUAL AIRCRAFT EMERGENCY INCIDENT

The Tour Commander responds to the scene of the incident, takes command of the incident site and coordinates fire suppression and rescue activities. In this role, the Tour Commander assumes the title of Incident Commander and is directly responsible for working with and coordinating the fire and rescue efforts of both on-airport and off-airport responding agencies including police, fire, and EMS personnel.

The Incident Commander determines the need for and requests medical assistance in consultation with any medical advisors who may be available.

The Incident Commander will locate the Command Post (CP) in a location from which command and control can best be exercised and where it will cause the least amount of interference to surrounding uninvolved areas. Whenever possible, site selection should be made in consultation with the Airport Duty Manager whose special knowledge of the aeronautical area and airport operational requirements can aid the Incident Commander in selecting the optimum Command Post Site. The Incident Commander and the Airport Duty Manager should both be present at the Command Post to ensure the availability and most effective management of personnel and other resources. To ensure the essential visibility of the CP, the Incident Commander's vehicle will be appropriately equipped with the necessary communications and lighting systems and display "COMMAND POST" signing. To avoid confusion, the Airport Duty Manager's vehicle, although it might be located in close proximity to the Command Post, will not display Command Post signing for this stage of the response.

During the fire fighting and life saving stages of the incident, the Airport Duty Manager will assist the Incident Commander by coordinating the delivery of required personnel and material resources from other units on the airport, Federal Agencies and the Airlines, and assisting the staging and escorting of responding equipment to and from the incident site. The Airport Duty Manager will also coordinate emergency response activities with Terminal Services to mitigate the impact of the incident on other airport operations.

Formerly,

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The Incident Commander will remain in charge of the incident site until all phases of fire suppression and rescue operations have been completed and the necessary criminal investigation and hazardous materials survey have been satisfied. This would normally coincide with the release of the area by the National Transportation Safety Board (NTSB). During this period the Incident Commander, Airport Duty Manager and NTSB representatives should closely coordinate the necessary activities of all involved staff to restore the area to operations as quickly as possible. At the point that the Airport Duty Manager assumes responsibility of the site, the role of the Police Forces remaining at the incident site will revert from operational control to security/fire watch, and supporting the Duty Manager and the NTSB as required. As the situation permits, the Duty Manager will begin to deploy civilian resources to begin the recovery operation, and the Tour Commander, depending on the circumstances, would normally return to his/her regular duties.

Based on the circumstances and expected duration of the incident and the weather conditions at the time, the Airport Duty Manager and the Incident Commander will confer on the need, the use and the location of the Airport Mobile Command Post/Communications Vehicle. The policy for the use of these vehicles will be established by each Airport General Manager in consultation with his Operations Manager and Police Commanding Officer.

AIRPORT/AIRCRAFT RECOVERY

The Airport Duty Manager will be responsible for the management of the incident site once the Tour Commander has completed his/her duties as stated above and the recovery phase commences. The Duty Manager will coordinate with and provide for the needs of non-emergency functions, which normally follow an aircraft accident, including liaison with the FAA, the NTSB, Airline, Postal, Immigration and Customs staff, and the aircraft recovery team. During the recovery phase, the Incident Commander will provide police support as circumstances require.

ROUTINE ALERTS

"Normal" or precautionary alerts do not entail the massive response of equipment and personnel to an incident site that an actual accident would precipitate, nor do they necessitate the establishment of a command post. Therefore, such "precautionary" alerts should be handled with personnel performing within their normal parameters of responsibility, i.e., Crew Chief (and the Incident Commander when circumstances permit) oversees the placing and response of the emergency trucks, while the Duty Manager coordinates disposition of the runways and aircraft movements with FAA Tower

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personnel.

If no emergency or threat to public safety is involved, the emergency equipment should be secured and the alert should be brought to the quickest possible conclusion. The Duty Manager is responsible for making the necessary arrangements with FAA Tower personnel to return to normal operations. If the Crew Chief (or the Incident Commander) observes a fuel leak, unusual smoke or other signs of a potentially dangerous situation, he/she will alert the Tower and others, as appropriate, and take the necessary action. Once the initial Tower notification has been made, the Airport Duty Manager will coordinate the necessary airline mechanical expertise, NOTAMS and runway and taxiway closures. The aircraft should be allowed to exit the runway if possible, without jeopardizing safety, prior to conducting the investigation of the aircraft condition.

In some cases, determining whether a threat to public safety exists is dependent upon diagnosing a mechanical or structural problem. Port Authority personnel - neither police nor operations - have been trained to authoritatively make such decisions. Therefore, unless there is a clear and present danger, the determination of whether an aircraft mechanical or structural problem poses a safety hazard should lie with airline trained personnel - typically the aircraft's pilot or flight crew, and/or an FAA certified A&P mechanic. These latter individuals are either a normal part of the precautionary alert response or can be brought promptly to the scene. The

Port Authority's Operations personnel should notify the Crew Chief on the availability and expected time of arrival of airline support personnel. Questions of passenger safety concerning aircraft on-board systems or conditions are also normally best decided by the flight crew who have specialized training to diagnose and deal with such problems.

OTHER AREAS OF AGREEMENT

To facilitate the well coordinated and supportive response of these key airport staff members, periodic meetings will be convened by the General Manager, or his/her designee, with Airport Duty Managers, Tour Commanders and other appropriate staff to discuss issues that have come to light which could interfere with or facilitate an effective operation. Procedural problems, if any, experienced during the intervening periods could be discussed and resolved at these meetings. Also, areas in need of additional staff training can be identified. A discussion of incidents of critical safety or operational importance caused by either police or civilian staff should not await these meetings. Instead, these unresolved issues should be immediately forwarded to the General Manager and discussed as soon as possible after the incident by the Airport Duty

Formerly,

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Manager, the Tour Commander and other appropriate staff, as necessary.

At the above meetings or other appropriate times, "cross training" should take place involving the Airport Duty Managers and Tour Commanders, and other police and personnel from other units to ensure that the highest possible skill levels are retained. To ensure that the PA continues to enjoy the reputation of an effective, professional team, these meetings would be most effective if they were conducted in-house prior to inviting external agencies to participate. Airport layouts, miniature vehicle and aircraft replicas, and other appropriate mockups should be available for use at these meetings. Duty Managers and Tour Commanders are encouraged to meet during their tour with available staff to create emergency scenarios and conduct an informal mini tabletop exercise.

A presentation by an Airport Duty Manager will be incorporated into the course given during the Police Basic Airport Fire Training focusing on the aeronautical area and the responsibilities of non-police staff at airports.

A similar presentation by a Tour Commander will be incorporated into the course of instruction for Basic Airport Operations Training on Police Emergency Operations and Police responsibilities on the AOA.

As with any document of this type, which attempts to provide some degree of uniformity and standard procedures to a process that will differ with each scenario, we will continue to periodically review its applicability and implementation. As issues are raised that require additional clarification and/or change, revisions will be made.

James J. Nachstein
Chief Inspector, Operations
Public Safety Department

Robert Kelly
Chief Operations Officer
Aviation Department

By order of:



Director, Public Safety Department
Superintendent of Police

Formerly,



POLICE OPERATIONS MANUAL

THE POLICE TOUR COMMANDER AND GENERAL PATRON SERVICES SUPERVISOR

Roles During a Tunnel and Bridge Emergency Incident

The following has been prepared to reflect the agreements reached by the Interstate Transportation Department and Public Safety Department concerning the roles of the General Patron Services Supervisor (FS-7) and the Police Tour Commander during major incidents at the Holland Tunnel, Lincoln Tunnel, and George Washington Bridge (Hudson River Crossings). This agreement is intended to ensure that those individuals who fill these important assignments are aware of the Port Authority's expectations with respect to the discharge of their duties.

The General Patron Services Supervisor (FS-7) is the representative of the Facility Manager and is fully empowered to act on all matters with respect to the safe and efficient operation of the facility including, but not limited to, traffic management, rescue, fire and hazardous materials incidents. The Tour Commander directs all law enforcement efforts and represents the Port Authority in dealings with other public safety providers both off and on the Facility including external Police and Fire Departments and Emergency Medical Services.

The Port Authority expects the FS-7 and the Police Tour Commander to work together and in support of each other to ensure the proper coordination of Hudson River Crossings' operations and the provision of support services and resources to achieve the quickest, most effective resolution of a Hudson River Crossing problem or emergency situation.

The cooperative interaction of the FS-7 and the Tour Commander is most during an emergency incident and since those interactions and responsibilities provide a guideline for other types of emergencies, it is useful to spell out in broad terms, the Port Authority's expectations as to what should occur during an actual facility emergency incident. It is virtually impossible to provide direction for every conceivable incident scenario, so we continue to rely on the professionalism, cooperation, experience and common sense of those involved.

Formerly,

When a "major incident" occurs, the Incident Command System must be put into effect and the Tour Commander assumes the role of Incident Commander and establishes a Command Post. The Incident Command System will dictate a system of command and delegation of duties and responsibilities of all involved in the incident. A "major incident" can usually be determined by the scope of the danger, the length of time needed to rectify the situation, and/or the need for substantial assistance from outside agencies.

In the event of a "major incident" which requires the need for coordinated Police, Operations, Medical, Fire, Rescue, and Maintenance Services, the Incident Command System becomes even more important in order for these units to work together effectively and efficiently. Therefore, the Incident Command System becomes an organized plan of action, which is necessary to manage an emergency, minimize its impact, and restore normalcy. The Incident Commander's role is to coordinate the activities of those involved in the incident and matters affecting the running of the facility are to be requested through and with the approval of the FS-7.

For the purposes of this document, public safety shall mean to keep the general public exempt from exposure to unreasonable threat of serious injury or harm.

Nothing in this agreement is to preclude the duties or responsibilities of the first responding unit whether Police or Tunnel & Bridge Agent Specifically, the first employee on the scene should, drawing upon his/her training and experience, make an immediate assessment of the situation, to the best of his/her ability, notify the Communications Desk, and begin rendering assistance (e.g., First Aid, CPR, fire suppression, hazardous materials procedures, evacuation) commensurate to his/her level of training and the equipment available, until more appropriate assistance arrives. Once help arrives, the employee should remain, if possible, to assist as needed, unless directed to do otherwise by his/her supervisor.

Whether or not it is evident that outside agencies (e.g., Fire Department, EMS) are needed, the Communications Desk and/or FS-7 will immediately dispatch Emergency Garage Personnel. Upon responding, and further assessment, the Emergency Garage crew will handle the situation to their level of training, experience and available equipment until assistance from external agencies arrives. Once this external help arrives, the Emergency Garage crew will remain, if possible, to provide support as needed, unless directed to do otherwise by the General Patron Services Supervisor after clearance by the Incident Commander through the Command Post

ACTUAL FACILITY EMERGENCY INCIDENT

Whenever possible, the Patron Services Group Supervisor (FS- 4) or the General Patron Services Supervisor (FS- 7) responds to the incident site and coordinates the activities of the Tunnel & Bridge Agents who are responsible for fire suppression, extrication, rescue, first aid, hazardous materials activities, and other related duties. The Tour Commander and the FS-7 establish a Unified Command and are directly responsible for working with and coordinating the fire and rescue efforts of both facility and outside responding agencies including Police, Fire, and EMS personnel.

The Incident Commander will locate the Command Post (CP) in a location from which command and control can best be exercised and where it will cause the least amount of interference to surrounding uninvolved areas. Whenever possible, site selection should be made in consultation with the FS-7 whose special knowledge of the facility area and operational requirements can aid the Incident Commander in selecting the optimum Command Post site. In many cases the Communications Desk may serve as the Command Post, especially at the tunnel facilities. The Incident Commander and the FS-7 should both be present at the Command Post to ensure the availability and most effective management of personnel and other resources. If the chosen site is other than the Communications Desk or inside structure, to ensure the essential visibility of the Command Post, the Incident Commander's vehicle will be appropriately equipped with the necessary communications and lighting systems and display "COMMAND POST" signing.

During the firefighting and life saving stages of the incident, the FS-7 will assist the Incident Commander by coordinating the delivery of required personnel and material resources from other units on the facility and assisting in the staging and escorting of responding equipment to and from the incident site. The FS-7 will also coordinate emergency response activities with the Incident Commander to mitigate the impact of the incident on other facility operations. All requests for roadway and tunnel closures shall be transmitted through the Command Post and coordinated with the FS-7.

The Incident Commander will remain in charge of the incident site until all phases of fire suppression and rescue operations have been completed and the necessary criminal investigation, safety investigation (e.g., AI, NTSB), and hazardous materials survey have been satisfied. During this period, the Incident Commander and the FS-7 should closely coordinate the necessary activities of all involved staff to restore the area to operations as quickly as possible. As the situation permits, the FS-7 will begin to deploy resources to begin the recovery operation and the Tour Commander, depending on the circumstances, would normally return to his/her regular duties.

Formerly,

FACILITY RECOVERY

The FS-7 will be responsible for the management of the incident site once the Tour Commander has completed his/her duties as stated above and recovery phase commences. The FS-7 will coordinate with and provide for the needs of non-police functions, which normally follow an incident. During the recovery phase, the Tour Commander will provide Police support, as circumstances require.

MINOR INCIDENTS

The term "minor incident" will mean that the situation can be handled solely by Port Authority personnel and equipment, where external agency involvement is minimal, or when there is no unreasonable threat of serious injury or harm to the general public, nor do they necessitate the establishment of a Command Post.

Therefore, such incidents should be handled with personnel performing within their normal parameters of responsibility. That is, during minor fires, spills, accidents or stoppages the FS-7 coordinates the deployment of Emergency Garage personnel and equipment while monitoring the impact on vehicular traffic. The Tour Commander coordinates Police response.

In some cases, determining whether a threat to public safety exists is dependent upon diagnosing a mechanical or structural problem. Port Authority personnel - neither police nor operations - have been trained to authoritatively make such decisions. Therefore, unless there is a clear and present danger, the determination of whether there is serious damage to roadways or structures will be coordinated through outside experts such as Maintenance, Construction, Engineering, Risk Management, or Environmental Services.

OTHER AREAS OF AGREEMENT

To facilitate the well coordinated and supportive response of these key facility staff members, periodic meetings will be convened by the Facility Manager, or his/her designee, with FS-7's, Tour Commanders and other appropriate staff to discuss issues that have come to light which could interfere with or facilitate an effective operation. Procedural problems, if any, experienced during the intervening periods should be discussed and resolved at these meetings. Also, areas in need of additional staff training can be identified. A discussion of incidents of critical safety or operational importance caused by either Police or other staff, should not await these meetings. Instead, these unresolved issues should be immediately forwarded to the Facility Manager and discussed as soon as possible after the incident by the FS-7, the Tour Commander and other appropriate staff, as necessary.

Formerly,

Subject: TB & T Emergency Roles of TC & FS7	P.O.I. 9-3
Issued: November 1, 1994	Page 5 of 5
Revised:	Effective: November 14, 1994

At the above meetings or other appropriate times, "cross training" should take place involving the FS-7's and Tour Commanders, and other Police and personnel from other units to ensure that the highest possible skill levels are retained. To ensure that the Port Authority continues to enjoy the reputation of an effective professional team, these meetings would be of the most use if they were conducted in-house prior to inviting external agencies to participate. Facility layouts, miniature vehicles and-facility replicas, and other appropriate mockups should be available for use at these meetings. FS-7's and Tour Commanders are encouraged to meet during their tour with available staff to create emergency scenarios and conduct informal mini table-top exercises.

As with any document of this type, which attempts to provide some degree of uniformity and standard procedures to a process that will differ with each scenario, we will continue to periodically review its applicability and implementation. As issues are raised that require additional clarification and/or change, revisions will be made.

James J. Nachstein
Chief Inspector,
Field Uniform Services
Public Safety Department

Janis M. Beitzer
General Manager
TB&T Operations
Interstate Transportation Department

By order of:



Director, Public Safety Department
Superintendent of Police

Formerly,

To: All Members of the Force



INTERIM ORDER

PURPOSE:

1. Provide the Superintendent/Director with information to evaluate the efficiency and effectiveness of the PAPD.
2. Implement procedures for Command Staff personnel to utilize while conducting inspections of police personnel, equipment, personal protection equipment, material, facilities, records, and operations, to ensure tasks and assignments are being performed in accordance with existing policies and procedures.
3. Identify opportunities for improvement within the PAPD.
4. Determine whether expected operational results are being realized as planned.

POLICY:

The inspection shall be conducted in three (3) phases: Facility Records, Physical Facility Inspection, and Personnel Inspection.

I. FACILITY RECORDS INSPECTION

1. Upon arrival inside the facility being inspected the Command Staff member will:
 - A. Sign the facility logbook in red ink denoting his/her arrival and purpose.
 - B. Review facility log book entries since the last facility inspection.
 - C. Inspect all police facility logs, including but not limited to:
 1. Portable Radios
 2. Radar Units
 3. Shotguns

To: All Members of the Force

4. Cell Detention
5. Emergency Vehicles
6. Emergency, Equipment
7. Impounds
8. Mobile Video Recording Equipment
9. Bail Receipt Book
10. Personal Property
11. Prisoner Property
12. Summonses
13. Desk Appearance Ticket Log
14. Property Vouchers
15. Evidence
16. Breathalyzer Equipment
17. Patrol Vehicles
18. Tour Commanders' Log
19. Hospital Security
20. LiveScan Equipment
21. Facility Emergency Plans.

Upon completion of the inspection the inspector will sign in red ink on the next available - line or on the Face Sheet of the last entry made noting the date and time that particular inspection was completed.

- D. The current, previous and next days roll calls for each tour shall be read. Review with the Tour Commander;
 1. Staffing Requirements
 2. Overtime authorization
 3. Proper manpower code usage
 4. Manpower requests from CPP
 5. Overtime procedure

- E. Review all facility reports for the tour inspected, including but not limited to:
 1. Arrests
 2. Investigations
 3. Aided Reports

To: All Members of the Force

4. Property Damage
5. Aircraft Alerts
6. Incidents
7. Handwritten
8. Accidents
9. Vouchers/Evidence

II. PHYSICAL FACILITY INSPECTION

1. Observe and note any unusual particulars of the buildings, roadways, parking areas/lots, aeronautical and all other areas within the Command being inspected:
2. All police areas including, but not limited to (Police Desk, Report Rooms, Reserve Rooms, Locker Rooms) shall be inspected for:
 - A. Safety
 - B. Cleanliness
 - C. Efficiency
 - D. Effectiveness
3. Evidence room and locker inspections will verify:
 - A. Sequential intake of evidence
 - B. Chain of custody -
 - C. Retention and release of evidence
4. Patrol Vehicles
 - A. At least one patrol vehicle will be summoned from the tour for inspection:
 1. Exterior/Interior
 - A Clean appearance
 - B Observe Officer's operation
 2. Trunk - Emergency equipment present and have Police Officer demonstrate their functionality

To: All Members of the Force

3. Have Police Officer demonstrate emergency lighting and audio equipment functionality
4. Emergency equipment and vehicles
 - A Spot check emergency equipment and vehicles for their appearance and have the Police Officer demonstrate their functionality

III. PERSONNEL INSPECTIONS

The Inspector will observe each member of the force contacted and ensure their personal appearance and uniforms adhere to departmental guidelines. Administer immediate corrective and/or disciplinary action as necessary. Randomly check officers on posts-and their corresponding assignments to the tour roll call. Additionally, at least one member of the force will be summoned to the Police Desk for inspection of:

1. Service weapon
2. Service weapon serial number recorded and verified with the Hdqts: Equipment Sergeant (either at time of inspection or next tour on duty)
3. Leather Gear
4. Hat shield and breast plate (numbers recorded and verified with Hdqts. Equipment Sergeant)
5. Police ID
6. Memo Book
7. Driver's License
 - A Possession
 - B Status
 - C Expiration
8. Condition of body armor
9. If applicable, vehicle registration and insurance

CONCLUSION

Upon completion of all (3) three phases of the inspection, the Command Staff member will sign out in red ink in the Police Blotter (log) noting time inspection concluded.

Subject: Personnel and Facility Inspection Program for Command Staff I.O. 13-00

Date: 11/20/00

Page 5 of 5

To: All Members of the Force

The inspector will complete the attached Command Staff Facility Inspection Report and forward it to:

- A. Superintendent/Director
- B. Chief responsible for Command
- C. Zone Commander
- D. Commanding Officer
- E. Corresponding Operations Captain

Included report: will be any recommendations discipline administered, remedial training requirements or other general comments in addition to those prescribed On the Inspection Report.

By Order of:



Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



COMMAND STAFF FACILITY INSPECTION REPORT OFF HOURS
INSPECTION CHECKSLIST

Inspecting Officer: _____ Day: _____ Date: _____

Facility Inspected: _____ Time From: _____ To: _____

Tour Commander: _____ Weather Conditions: _____

Patrol Sgt: _____ Det.Sgt: _____

ITEM.	INSPECTED Y/N	REMARKS.
Blotter		
Bail Book		
Cell Area/Cell Log		
Strip Search Log		
Evidence Room/Evidence Log		
Prisoner Personal Property Log		
Overtime Log		
Lost & Found Room/L&F Log		
T.C.'s Daily Operations Log		
Weapons and Radio Logs		
Roll Call With Exception Sheet		
Sign In/Sign Out Sheet		

Meal & Relief Sheet		
Police O/T- Authorization - Report		
Police Areas (Police Desk - Area, Admin. Offices, etc)		
Locker Room/Reserve Room		
Radar Log		
Emergency Vehicle (if applic.) Log		
Emergency Equip (if applic.) Log		
Impound Log		
Mobile Video Recording Equip. Log		
Summons Logs		
DAT Logs		
Breathalyzer Log		
Patrol Vehicle Log		
Hospital Security Log		
LiveScan Log		
Equipment Section		
Patrol Vehicle #		
Operator Name		

External Inspection		
Internal Inspection		
Trunk/Emergency Equipment		
PO Demo of Equipment		
PO Demo of Lights/Audio		
Emergency Veh. #		
Operator Name		
Condition of Vehicle		
Operation		
<u>Personnel Section</u>		
PO Name		
Appearance		
Uniform		
Leather Gear		
Attitude		
Weapon		
Serial #		
CAP Plate/Shield #		



THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

C.A.L.E.A. Standard(s):		Date Issued:	05/07/2003
Section:	200 - Duties and Responsibilities	Date Revised:	11/16/2011
Issuing Authority:	Michael A. Fedorko	Procedure No:	200-01
Subject:	SECURITY GUARD SERVICE	Page(s):	2 +Attachment

I. INTRODUCTION

The Port Authority Police Department has both a vested interest and a duty to maintain security in and around Port Authority property. In this period of heightened threat level, roles of non-police personnel who are performing tasks associated with public safety at Port Authority facilities have increased dramatically in importance.

In an effort to support this significant role, and in conjunction with the primary responsibilities of the Port Authority Police Department, Police Supervisors will, during the course of their patrol, verify security guard posts are manned in a sufficient and consistent manner. When and if deficiencies are observed, they will be reported to guard service supervisory personnel, the Commanding Officer and the General Manager for the respective Port Authority facility.

II. PURPOSE

To assure the protection of life and property at Port Authority facilities by non-police Port Authority personnel.

III. POLICY

Effective with the publication of this order, Police Commanding Officers will develop and implement a program of inspection and reporting of facility guards by Port Authority Police Supervisors. That program will identify the guard posts to be inspected, establish an appropriate inspection schedule, and provide for suitable reporting of deficiencies to the Commanding Officer.

IV. SUPERVISOR'S RESPONSIBILITIES

The inspecting Supervisor will:

- a) Observe the security guard for fitness for duty.
- b) Observe the security guard's individual performance. Deficiencies that pose an immediate threat to public safety shall cause the response of the Guard Supervisor to the scene.
- c) Annotate the inspection by date, time and signature in the guard's memo book or post log.
- d) Prepare and submit to the Police Commanding Officer, through the Tour Commander, a Security Guard Inspection Report. (See Attachment)

The Tour Commander will review the Report and forward it to the Police Commanding Officer.

V. PROCEDURES

A Security Guard Inspection Report will be prepared by the Supervisor on an ongoing basis, and submitted to the Tour Commander. The Tour Commander will review and forward the Inspection Report to the Police Commanding Officer.

Port Authority Police Supervisors observing security guards performing their duties, or failing to perform their duties in such a manner as to create a risk to public safety, shall immediately notify the Tour Commander and call for the guard supervisor to respond to the post to take corrective action.

By Order of:

///Original Signed By///

Michael A. Fedorko
Superintendent of Police/
Director, Public Safety Department

PORT AUTHORITY POLICE



SECURITY GUARD INSPECTION REPORT

DATE: _____ FACILITY: _____ TOUR (circle): Midnight - Day - Afternoon

Post: _____ Time: _____ Guard: _____ Supervisor: _____

Notes _____

Post: _____ Time: _____ Guard: _____ Supervisor: _____

Notes _____

Post: _____ Time: _____ Guard: _____ Supervisor: _____

Notes _____

Post: _____ Time: _____ Guard: _____ Supervisor: _____

Notes _____

Post: _____ Time: _____ Guard: _____ Supervisor: _____

Notes _____

Post: _____ Time: _____ Guard: _____ Supervisor: _____

Notes _____

Police Supervisor _____ Badge #: _____ Page _____ of _____

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THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

	Date Issued: 11/15/2012
Section: Duties and Responsibilities	Date Revised: 04/30/2013
Issuing Authority: Michael A. Fedorko, Superintendent	Procedure No: 200-02
ARFF TRAINING, RECORDS RETENTION AND AUDITS	Page(s): 10

Copy to: J. Dunne, T. Belfiore, J. Speziale, C. Dickey, J. Ryan, M. Gardner, A. Grampp, R. Hayes, S. Ortiz, PBA, DEA, SBA, LBA, and file

I. POLICY

It is the policy of the Port Authority of New York and New Jersey that all Aircraft Rescue Firefighter (ARFF) training be conducted in accordance with Port Authority and Federal Aviation Administration guidelines. All training records must be preserved and stored in an orderly chronological manner. All ARFF training records will be subject to periodic inspection and audit by members of the Port Authority of New York and New Jersey Police Department, Audit Department, Aviation Department and the Federal Aviation Administration (FAA).

II. BACKGROUND

The Port Authority of New York and New Jersey Police Department's ARFF training records are subject to inspection and audit by internal departments as well as federal regulatory agencies. It is imperative to keep all training records stored and secured in a specific location with all supporting documentation to meet compliance with FAA standards. To ensure that all training records are stored in accordance with this order, training records and supporting documentation will be subject to periodic inspection and audits. Internal audits will be conducted at all airports and the Police Academy Rescue Training Center. These audits are necessary to ensure that ARFF training and recordkeeping are maintained in a manner consistent with the ARFF basic and recurrent training schedule in compliance with FAR 139.

III. PROCEDURES

A. TRAINING

1. Basic Aircraft Rescue Firefighter (BARFF) training will be conducted by the Rescue Training Center on an as-needed basis determined by the Public Safety Department. ARFF refresher training shall be conducted every year through five phases in accordance with Operations Order 2012-OPS-39 Revised. Additional ARFF Training as per detail, new equipment, new mandate, etc. shall be scheduled within proscribed guidelines. This training may include additional FAR 139 training proficiency beyond the minimum requirements of 2012-OPS-39 Revised and ARFF Vehicle Operator Proficiency.
2. Additional FAR 139 Training Proficiency will be documented in designated training logs. Each ARFF trained member will have a designated page to document up to sixty (60) hours of additional training beyond the FAR 139 minimum requirements. Vehicle Operators must document six (6) hours of proficiency training per vehicle for which they are qualified.
3. Each airport shall periodically conduct Emergency Response Timed Drills to maintain proficiency in accordance with potential FAA inspections. Coordination with the Air Traffic Control Tower manager and/ other appropriate agencies may be needed and should be done in advance.

B. RECORDS

1. Roll Call: Trainees will be reflected on Command roll call as being in attendance at ARFF training, specifically designating the components to be trained upon.
2. Attendance (Sign-In) Sheets: All personnel will sign an attendance sheet to document their presence at training. The format of the attendance sheets will be approved by the Police Academy. The ARFF Training Sergeant shall forward copies of attendance sheets to the Commanding Officer of Police Academy or his designee at the completion of each training day.
3. Each command that conducts ARFF training will maintain all original attendance sheets and supporting documentation including, but not limited to, proficiency sheets, functional checklists, tests, etc. regarding ARFF training in a secure location, separate from other training records.
4. All ARFF training records shall be retained for 24 consecutive months post-

training date in accordance with FAA guidelines.

5. Each command will maintain Training Logbooks to document additional FAR 139 Proficiency Training and ARFF Vehicle Operator Proficiency. The FAR 139 Training Proficiency Log will be maintained by the Crew Chief. The ARFF Training Sergeant will maintain the Vehicle Operator Proficiency Log. These logbooks shall be updated daily to document training for ARFF personnel. Logbooks will be issued each calendar year and will be retained in the same manner as all other ARFF training records.
6. The ARFF Security and Equipment Lieutenant has the overall responsibility of maintaining the integrity of the ARFF training records, supporting documentation and lesson plans for airport specific curriculum.
7. The ARFF Training Sergeant has the overall responsibility to ensure that ARFF training is conducted in accordance with Operations Order 2012-OPS-39 Revised. He/she must also monitor expiration lists to schedule training in accordance with expiration dates.
8. There will be an ARFF database maintained at each command and the Police Academy that is updated each training day to account for attendance in training. This database shall be maintained in addition to storage of roll calls and attendance sheets.
9. The ARFF Security and Equipment Lieutenant or his designee is responsible for updating the local command ARFF training database. The Police Academy Training Lieutenant or his designee is responsible for maintaining the Police Academy ARFF training database. The ARFF Training Sergeant at each command shall forward all training documentation to the ARFF Security and Equipment Lieutenant and the Aviation Department for processing.
10. The Police Academy shall provide notification to each member of the service via email and summons courier when they are 60 days within training date expiration, and then again at 30 days of training expiration.
11. It is the responsibility of ARFF Security and Equipment Lieutenant and ARFF Training Sergeants to ensure all members are scheduled for ARFF training within the proper timeframe.
12. All ARFF Security and Equipment Lieutenants and ARFF Training Sergeants shall adhere to the Airport Certification Manual pertaining to the issuance of Command Orders regarding qualified ARFF personnel in conjunction with the Aviation Department's qualified list. Scheduling of personnel shall be in accordance with Section C. – Credentialing System and Scheduling herein.

13. An alphabetical listing of all “active” firefighters, to include only ARFF personnel who are fully trained and expected to suit up and fight an actual aircraft accident/fire on the airport shall be maintained by each airport command. This listing must include the dates of each person’s last two previous “Live Fire Drills” and the scheduled date of his/her upcoming live fire drill. Any new Aircraft Rescue Firefighter (only certified initially), should be identified with an asterisk (*). Records are to be maintained for (24) months.
14. If any member of the force transfers to any airport after completion of the Basic Aircraft Firefighter training course, they must receive, at a minimum, the proscribed hours of FAR 139 training for that airport, in accordance with FAA guidelines prior to being assigned any ARFF position on a roll call. This training must be documented in accordance with all guidelines set forth in this order.
15. If any ARFF trained personnel transfers from one airport to another airport, they must receive at a minimum, the proscribed hours of FAR 139 training specific to that new command, prior to being placed in any ARFF roll call position. This training must be documented in accordance with all guidelines set forth in this order.
16. If an officer transfers to a non-ARFF command, all ARFF training records shall be maintained at the former command in accordance with this order.
17. Documentation shall be maintained at each airport with the ARFF training records showing the dates of the last ARFF vehicle “dry chemical discharge” (within the last six months) and AFFF (foam) refractometer or conductivity test results.
18. The Security and Equipment Lieutenant shall maintain the curriculum and training certificates pertaining to basic emergency medical care (emergency medical technician or certified first responder) for 24 months post-training with ARFF training records.

C. CREDENTIALING SYSTEM & SCHEDULING

1. ARFF Posts & Credentials Required for each Post
 - a. ARFF Posts and the credentials (ARFF Basic, HRET, CFR, EMT) required for each post are approved by the Federal Aviation Administration (FAA) as identified in each Airport’s ACM. The Public Safety Department’s ARFF roll calls must comply with the ARFF posts and related credentials identified in the ACM.

- b. The Aviation Department maintains the Airport Certification Manual for each airport.
- c. The ARFF Posts and associated required skills (ARFF Basic, HRET, CFR, EMT) are programmed into ScheduleSoft and maintained by the Technology Services Department (TSD). ScheduleSoft is a corporate enterprise system for scheduling. In conjunction with the TSD roll call subsystem, Schedule Soft produces a roll call as the final output. TSD will make changes to ARFF posts and credentials required for each post in Schedule Soft and the TSD roll call subsystem with approval from the Chief of Department, Public Safety, and General Manager, Aviation Certification & Safety.

2. ARFF-Qualified Personnel

- a. The requirements for ARFF qualification are approved and identified in the ACM for each ARFF post. Each airport's Roll Call must comply with the ACM.
- b. Aviation Certification Managers attribute training qualification and credentials (Basic ARFF, HRET, CFR, EMT) to Public Safety Personnel using the PeopleSoft ARFF credentialing site.
- c. TSD will make changes to the PeopleSoft Credentialing Site with approval from Chief of Department, Public Safety, and General Manager, Aviation Certification & Safety.

3. ARFF Scheduling Process

- a. By 1500 hours on every Thursday, each airport's Airport Certification Manager will email an Authorized List of ARFF Personnel (Authorized List) to each airport's Commanding Officer with an effective date of the following Saturday's roll call (i.e. Friday at 2200h).
- b. Removal of unqualified ARFF Personnel
 - i. If the end of the month falls on a Thursday, Friday, or Saturday, an expiring ARFF member will be removed from the Authorized List on the prior Thursday's update of the Authorized List. (This will prevent a qualified ARFF member from working an ARFF Post for up to 7-days. This is a protective measure for the next month, eliminating the possibility of an unqualified officer working an ARFF Post.) If this situation occurs, it must be noted in the listing of changes identified in the next section.

- ii. In the body of the email with the Authorized List attached, the certification manager will indicate changes in the Authorized List from the prior week.
- c. By 1500 hours on Friday, the Commanding Officer of each airport reviews the Authorized List, and communicates discrepancies between Aviation's qualified list and the ARFF training database to the respective airport's Certification Manager. When the Commanding Officer concurs with Aviation's Authorized List, the Commanding Officer issues a Command Order attaching the effective Authorized List.
- d. On Friday at 1800 hours, the ARFF qualification of each personnel in ScheduleSoft is updated using data stored in the PeopleSoft credentialing site in two steps:
 - i. Upload of Qualified Personnel – The ARFF qualified list stored in the PeopleSoft credentialing site effective for Saturday's roll call is uploaded into ScheduleSoft.
 - ii. Removal of Unqualified Personnel – Unqualified personnel are removed from ARFF roll calls already generated in ScheduleSoft, resulting in a vacancy on the roll call. If the Tour Commander or his designee notices a vacancy in the ARFF roll call, the Tour Commander will use ScheduleSoft to assign an ARFF-qualified personnel to the vacant ARFF post in one of two ways:
 - 1. Selecting an officer from a dropdown list for a specified ARFF post. ScheduleSoft will populate the officer dropdown list with personnel qualified for the specified ARFF post.
 - 2. Selecting an ARFF post from a dropdown list and assigning to a specified personnel. ScheduleSoft will populate the post selection list only with posts for which the specified personnel is qualified to work.
- e. As a part of daily operations at the airports:

- i. The Tour Commander must generate an ARFF roll call using ScheduleSoft. Saturday's Final/Official Roll Call must be refreshed after 1900 hours on Friday to ensure the process described takes effect; any Roll Call generated prior to this time may result in errors.
- ii. The Tour Commander reviews the ARFF roll call to ensure all ARFF Posts are filled and that only personnel on the ARFF Authorized List are placed in ARFF Posts by comparing personnel placed in ARFF Posts to the most recent Command Order and Aviation's Authorized List.
- iii. If the Tour Commander discovers that an unqualified personnel has been placed in an ARFF post, the Tour Commander must seek corrective action by informing the airport's Commanding Officer, the airport's certification manager, and TSD, as well as copying Public Safety Business Administration using PA 2265 – Hand Written Memorandum. As appropriate, the airport's certification manager will issue a revised authorized list and the airport's Commanding Officer will issue a revised Command Order.

f. Additionally, the Tour Commander will be responsible for the following:

- i. If the discovery was prior to the unqualified personnel working the ARFF post, the Tour Commander must reassign the unqualified personnel to a non-ARFF post and fill the post with a qualified person. Notifications must be made to the Commanding Officer and the airport's certification manager of the occurrence.
- ii. If the discovery is during the unqualified person's tour the Tour Commander must reassign the unqualified personnel to a non-ARFF post and fill the post with a qualified person. Notifications must be made to the Commanding Officer and the airport's certification manager of the occurrence.
- iii. If the discovery was after the unqualified individual has worked an ARFF post, the Tour Commander must document the error and include corrective action sought. Notifications must be made to the Commanding Officer and the airport's certification manager of the occurrence.
- iv. The Tour Commander reviews the ARFF Roll Call to ensure that ARFF Post names are identified correctly, is dated, signed, and all pages are in order.

- v. The Tour Commander sends the Commanding Officer, ARFF Security and Equipment Lieutenant, ARFF Training Sergeant, General Manager, Airport Certification and Safety, and Manager, Airport Certification and Safety, a signed and dated copy of the final ARFF for the previous day by the end of Tour 1, no later than 0600h.

D. INSPECTIONS

1. All ARFF training records shall be inspected weekly by the Security and Equipment Lieutenant or designee to ensure all training records are current and accounted for.
2. All ARFF training records are subject to periodic inspections. These inspections will be unannounced. A ranking member of the Public Safety Department will conduct inspections. Inspections will focus on training maintenance and training records.
3. The FAA can also request inspections to view ARFF training records at their convenience.
4. The Aviation Department may request to inspect ARFF training records to verify compliance with FAR 139 as needed.
5. If discrepancies are observed during inspections, immediate notification shall be made to the Commanding Officer and Chief of Department.
6. The Commanding Officer will take action to rectify the discrepancy within 24 hours.
7. All discrepancies will be documented and forwarded to the Chief of Department for review.
8. The Chief of Department will determine if disciplinary action is warranted.

E. MONTHLY AUDITS

1. Monthly, in conformance with FAA reforms, the Port Authority Audit Department will conduct a complete audit of the ARFF training records. The audit will be documented in a memorandum regarding the results. The audit will target that:
 - a. all daily roll calls for the previous month are in compliance with the Authorized List issued by the Manager, Airport Certification and Safety-Aviation Department,
 - b. training is being conducted in conformance with Operations Order 2012-OPS-39 Revised,
 - c. complete training records are current for personnel on the ARFF Authorized List,
 - d. 30, 60, 90 day expiration notifications and scheduled training,
 - e. training records for ARFF personnel newly added to Authorized List in previous month are maintained,
 - f. Command Orders preventing personnel with expired training from working ARFF positions for the previous 30 days are maintained,
 - g. records are being filed in a separate and secure location,
 - h. records are current and available for each ARFF trained member.
2. Any discrepancies will be reported to the Commanding Officer and Chief of Department.
3. The Commanding officer will immediately take action to rectify the discrepancies.
4. The Chief of Department, upon review, will determine if disciplinary action is warranted.
5. Public Safety and/or Aviation Department will forward reports on all Audits to the FAA in ten (10) business days after the last day of the month that is being audited.

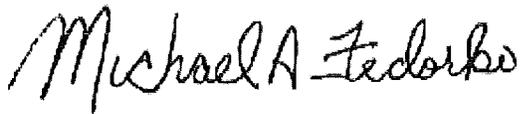
F. ANNUAL AUDITS

1. An external auditing firm, beginning June 30, 2013, will conduct annual audits.
2. These audits will review all Part 139 training records for personnel on the ARFF authorized list, roll call compliance, pay roll and training record compliance.

IV. SUMMARY

This Order shall take effect immediately to maintain compliance with FAA regulations and Port Authority of New York and New Jersey rules, regulations and policies.

By order of:



Michael A. Fedorko

Superintendent of Police

Director, Public Safety Department



THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

Replaces: POI 2-19	Date Issued: 7/18/13
Section: Duties and Responsibilities	Date Revised:
Issuing Authority: Michael A. Fedorko, Superintendent	Procedure No: 200-03
OFFICERS FLYING ARMED	Page(s): 1 of 3

PURPOSE

To provide a procedure for the approval and carriage of weapons on official business outside of New York and New Jersey while flying armed.

POLICY

The Law Enforcement Officers Safety Act (H.R. 218) exempts qualified active law enforcement officers from local and state prohibitions on the carrying of concealed firearms. The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States. This exemption does not apply to Federal law or regulation, which governs the carriage of firearms onto aircraft or other "common carriers," Federal buildings, Federal property, or National parks. Under such circumstances, we must adhere to all Federal laws and regulations.

Therefore, when members of the force are required to travel in a state other than New York or New Jersey on board a flight while on official business, they will adhere to the following procedures:

PROCEDURE

Members of the Force

When traveling outside of NY or NJ while on official business:

Prepare a written report addressed to the Superintendent of Police detailing the following:

- Purpose of trip and the reasons for carriage of firearm outside of New York or New Jersey.
- Rank, name, shield number and command.
- Place of destination.

- Means of transportation to destination.
- Complaint number, if applicable.
- Identity of person being escorted, if applicable.
- Name of airline and flight number.
- Date and time of departure.
- Submit completed written report to Commanding Officer.
- Retain copy of NLETS message from CPD prior to travel.
- Display all documentation to TSA upon entrance to security screening point.

Commanding Officer

- Makes recommendation and forwards all documents to the Superintendent for approval.

Superintendent

- Prepares letter of authorization.
- Forwards approved/disapproved request to originating Commanding Officer.

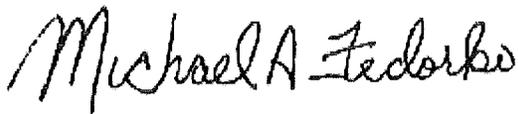
Central Police Desk

- Submit a National Law Enforcement Telecommunications System (NLETS) message to TSA prior to MOS travel date.
- Retain copy of NLETS message for MOS.

Copies of obtained written approval letter from the Superintendent documenting purpose of trip will be distributed as follows:

- Personnel File
- CPD File
- Command File

By Order of:



Michael A. Fedorko
Superintendent of Police/
Director, Public Safety Department

POLICE PATROL GUIDE
PERSONNEL MATTERS

I. PURPOSE

The purpose of this instruction is to outline a seniority policy applicable to members of the police force in the grades of Police Officer, Detective, Police Sergeant, and Police Lieutenant.

II. DEFINITIONS

For the purposes of this instruction, seniority will be based on the number of years in grade.

A. Police Officers

Seniority for Police Officers will be computed on the number of years of Port Authority service as a police officer, based on the date of appointment to the police force and the position within his class upon graduation from the Police Academy.

B. Detectives

Seniority for Detectives will be based on the number of years of Port Authority service as a Detective, and if identical, based upon total Port Authority Police seniority.

C. Police Sergeants

Seniority for Police Sergeants will be based on the number of years of Port Authority service as a Police Sergeant, and if identical, based upon total Port Authority Police seniority.

D. Police Lieutenants

Seniority for Police Lieutenants will be based on the number of years of Port Authority service as a Police Lieutenant. If promotion occurred on the same day, seniority is based upon the number of years of service as a Police Sergeant, and if identical, based upon total Port Authority Police seniority.

E. Facility Seniority

Seniority will not be accrued at a facility by officers assigned to that facility continuously for a period of six (6) months.

F. Temporary Transfer

Seniority will not be accrued at a facility by officers assigned to temporary positions or short-term loans. In the event the temporary position becomes permanent, the next appropriate officer eligible for the transfer will be offered the assignment, and if that officer has been assigned to the temporary position, his time in the temporary position will count as if it had been a permanent assignment.

III. MASTER LIST

The Police Division will maintain a master seniority list based on the above definitions. This list will indicate the official seniority standing of the members of the force covered by this instruction.

IV. SHORT TERM LOANS

A. A short-term loan is an assignment, which will not exceed sixty (60) days in duration.

B. When it becomes necessary to make short term loans, the junior man who is fully qualified, will be assigned from the reserve pool unless a senior man so qualified, from the reserve pool, requests such assignment. Where it is desirable to keep qualified specialists refreshed in their knowledge, loans will be made on an equalization basis.

V. SPECIAL DETAILS - PREFERRED ASSIGNMENTS

A. Special details and preferred assignments will be under the control of the Police Commanding Officer. In making assignments to special details and preferred assignments, the first consideration will be the maintenance of standards established by the Superintendent of Police. The second consideration will be preference of senior members of the force.

B. A Police Officer, Detective, Sergeant or Lieutenant, senior to an employee selected, who requests in writing the reasons he did not receive a special detail or preferred assignment, shall be responded to in writing setting forth the reasons for not making the assignment or detail by the appropriate party making the decision.

VI. TRAINING

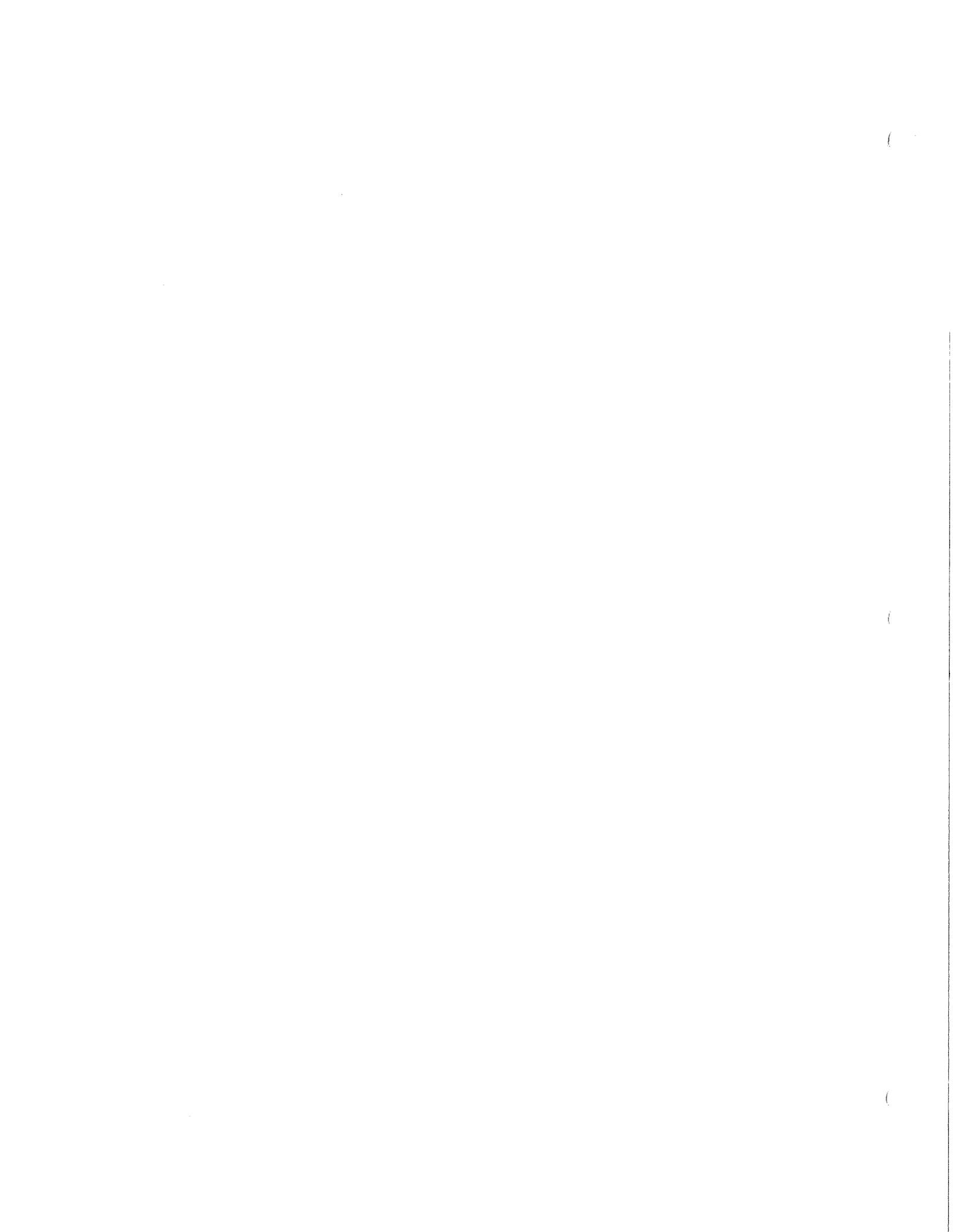
A. A Police Officer, Detective, Sergeant, or Lieutenant, senior to an employee selected in the same classification, who requests in writing the reason he or she was not selected for the training, shall be responded to in writing setting forth the reasons for not being selected for this training by the appropriate party making the decision.

B. Prior to making a selection for specialized training to qualify a member for a special detail at a command, the Police Commanding Officer shall notify all members of his command of the pending training program, giving at least three weeks for applications to be submitted

C. In the notice of training opportunity, the Commanding Officer shall set forth the following:

1. The name of the detail.
2. The criteria, which will be used in making the selection. Such criteria to be promulgated by the Police Division for all assignments where the training is the responsibility of the Police Academy.
3. The number of candidates to be used for the training.

4. The approximate dates, location and duration of the training program.
 5. Any special limitations or considerations involved in the special detail such as squad or position assignments or limitations.
- D. Following the receipt of the three-week application period, all applicants will be evaluated using the specific criteria in paragraph (b) above. After selecting the number to receive the training, a notice is to be posted listing the successful candidates.
 - E. If sick leave and other absences are included in the selection criteria for training, days spent in a hospital for treatment and days contiguous to the hospitalization will not be included.
 - F. In any situation where all other criteria are equal, seniority will prevail in making the selection between candidates.
 - G. Police seniority, as defined in PDI 2-1, shall apply for the selection of squads or positions in the work charts, other than those required to be filled by special detail trained officers. Squads or positions in the work charts required to be filled by special detail officers shall be filled from the detail roster and where no list exists, by detail seniority.



I. INTRODUCTION

There are two separate grievance procedures used within the Police Division for the resolution of employee grievances. One procedure deals with matters of interpretation or alleged violations of the Memoranda of Agreement. The other grievance procedure provides for the resolution of other than Memorandum of Agreement grievances.

The right to present grievances in accordance with the procedures described in this P.D.I., is to be free from interference, coercion, restraint, discrimination or reprisal.

The informal resolution of differences prior to the initiation of formal grievance actions under the grievance procedures is encouraged and desired by the Port Authority and the Police Associations.

II. GRIEVANCE ARBITRATION PROCEDURE FOR MEMORANDUM OF AGREEMENT RELATED GRIEVANCES

A. Definition

For the purpose of this grievance procedure, a grievance is defined as a complaint limited to the application or interpretation by the Port Authority of any provision of the Memorandum of Agreement which application or interpretation is alleged to constitute a violation of said Memorandum of Agreement or any provision thereof; provided, that the processing of a complaint by the Port Authority pursuant to this procedure shall not constitute a waiver by the Authority of any defense or claim that the conduct complained of does not involve the application or interpretation of any provision of the Memorandum of Agreement.

B. Procedure

Grievances as defined in paragraph A above, shall be processed as follows:

1. A grievance shall be submitted by the grievant in writing on forms to be provided by the Port Authority, to the Manager - Police Planning and Administration or his designated successor (with a copy to the employee association if the president thereof is not the grievant) within thirty (30) working days of the commencement of the event which gave rise to the grievance or the date the grievant should reasonably have been expected to become aware of the event which gave rise to the grievance. If the grievance is not settled in writing within ten (10) working days of the receipt of the grievance, the grievance may be appealed by the grievant to the Superintendent of Police within five (5) working days of receipt of the Step One response. Any such appeal shall be in writing and state the grounds therefore. If no Step One response is received within the specified time, the grievance shall be advanced to Step Two without further action by the grievant.

2. The Superintendent of Police or his designee shall issue a written determination of an appeal from Step One within fifteen (15) working days after the receipt of such appeal, setting forth the reasons for his determination. If the grievance remains unsettled, the grievant shall appeal in writing to the Director of Administration within ten (10) working days after receipt of the Step Two determination, setting forth the grounds for such appeal.
3. The Director of Administration or his designee, after consultation with and recommendation by the Personnel Director, shall issue a written determination of an appeal from Step Two within twenty (20) working days after the receipt of such appeal, setting forth the reasons for his determination. Any unsettled grievance may be appealed to arbitration as set forth in Step Four.
4. Arbitration
 - a. The president of the employee association or his designee shall have the exclusive right to refer to arbitration any unsettled grievance with respect to the application or interpretation by the Port Authority of any provision of the Memorandum of Agreement which application or interpretation is alleged to constitute a violation of said Memorandum of Agreement or any provision thereof by serving written notice in duplicate on the Director of Administration, not later than ten (10) working days following receipt of the Step Three determination.
 - b. Within ten (10) working days after reference of a grievance to arbitration, the Director of Administration and the president of the employee association or their designees shall meet to agree upon an arbitrator, and to attempt to frame the issues for submission to the arbitrator and to stipulate the facts of the matter in order to expedite the hearing. If within five (5) working days after such meeting no agreement on the selection of an arbitrator is reached, an arbitrator shall be selected in accordance with the then-effective Voluntary Labor-Arbitration Rules of the American Arbitration Association from its Labor Panel pursuant to a demand for or submission to arbitration addressed to the regional director of the American Arbitration Association at 140 West 51st Street, New York, N.Y.
 - c. The arbitrator shall not have the power to add to, subtract from or modify the provisions of the Memorandum of Agreement and shall confine his decision solely to the interpretation and application of the Memorandum of Agreement. He shall confine himself to the precise issue presented for arbitration and shall have no authority to determine any other issues not so presented to him nor shall he submit observations or declarations of opinion which are not essential in reaching the determination.

- d. The decision or award or relief afforded by the arbitrator shall be final and binding upon the Port Authority, the association and the grievant or grievants to the extent permitted by and in accordance with applicable law and the Memorandum of Agreement.
- e. All fees and expenses of the arbitrator shall be divided equally between the parties. Each party shall bear the cost of preparing and presenting its own case.
- f. The arbitrator shall hold the hearing at a time and place convenient to the parties as expeditiously as possible after his selection and shall issue his decision as soon as possible after the close of the hearing. The arbitrator shall be bound by the then-effective Voluntary Labor Arbitration Rules of the American Arbitration Association.
- g. The settlement or award or relief upon a grievance may or may not be retroactive as the equities of each case demand but in no event shall such resolution be retroactive to a date earlier than the date the grievance was first submitted or the date the grievance occurred.
- h. Grievance resolutions or decisions at Steps One, Two and Three shall not constitute a precedent in any arbitration or other proceeding.

C. Representation

- 1. The grievant is entitled to Association representation at any grievance and arbitration meetings. The employee association shall have the exclusive right to represent members in any grievance provided, however, that any grievant or group of grievants shall have the right to present his or their own grievance at Steps One through Three without representation of any kind, provided further that no resolution of a grievance shall be inconsistent with the provisions of the Memorandum of Agreement. The employee association shall receive copies of written determinations and of appeals at all steps and may submit written comments thereon and shall have the right to be present and to offer statements at any grievance step meeting.
- 2. The grievant (s) and any witness (es) shall be excused from duty without pay as required for the processing of grievances, subject to the approval of the Superintendent of Police. If possible, any such request for excusal must be presented in advance, and approval thereof shall not be unreasonably withheld. Time off for association representation purposes shall be in accordance with the applicable Limited Distribution Directive dated October 1974 from the Superintendent of Police to the Central Police Pool Commanding Officer.

D. Special Provisions

1. The term "working days" as used in this grievance procedure shall mean calendar days exclusive of Saturdays, Sundays and public holidays.
2. The parties may mutually agree in writing, when circumstances warrant, to by-pass Step One of this Grievance Procedure:
3. The failure by the Port Authority to meet a deadline specified herein shall permit advancing the matter to the next step. The failure of the grievant or the association to file a grievance or an appeal within the time limit specified shall be deemed to be a resolution of the grievance.
4. All time limits contained in this procedure may be extended by mutual agreement in writing.

III. GRIEVANCE PROCEDURE, NON-MEMORANDUM OF AGREEMENT RELATED GRIEVANCES

Under this procedure, grievances are divided into two (2) classes:

Class A. Grievances on working conditions. Such grievances will be processed through the originating officer's facility Commanding Officer.

Class B. Grievances on personnel transactions, (promotion exams, anniversary dates, credit for service, etc.) Class B grievances will be forwarded directly to the Manager, Operating Personnel Division, Personnel Department.

A. Initiating a Grievance

When a Police Officer, group of Police Officers or Sergeants or a representative of an employee association initiates a grievance; five (5) copies of PA form 2478 "Employees Grievance" will be prepared. Distributed will be as follows:

1. Class A - One copy retained by the originator; original and three copies forwarded to the facility Commanding Officer. The facility Commanding Officer will log, date, and number the grievance form. He will forward copies of the grievance to the Superintendent of Police; Manager, Operating Personnel Division; and the Personnel Director.
2. Class B - the originator retains one copy. The original and three copies are forwarded to the Manager, Operating Personnel Division, by the originator, and one copy is sent to the Superintendent of Police.

B. Reply to Grievances

All replies by the facility Commanding Officer will be in writing. Copies of the reply will be forwarded to the originator of the grievance, the Superintendent of Police; Manager, Operating Personnel Division; and the Personnel Director. The

Commanding Officer's reply must contain reference to the date and number of the grievance.

C. Time Limits

When a grievance occurs, it must be submitted to the facility Police Commanding Officer (Class A) or Manager, Operating Personnel Division (Class B) within fifteen (15) days of occurrence. If not submitted within 15 days, the grievance will be deemed abandoned.

If the Police Commanding Officer does not dispose of the grievance within fifteen (15) days, it shall be deemed denied. A Class A grievance, which is denied by the Police Commanding Officer, may be appealed to the Superintendent of Police.

If the Manager, Operating Personnel Division does not dispose of a Class B grievance within fifteen (15) days, it shall be deemed denied. The denial of a Class B grievance may be appealed to the Personnel Director.

D. Appeals

1. Class A Grievance

- a. First Appeal - Class A grievance appeals are directed to the Superintendent of Police. The appeal must be made within fifteen (15) days of the denial by the Police Commanding Officer or from the expiration date established for the Police Commanding Officer. If the appeal is not made within fifteen (15) days, the grievance is abandoned.

When an appeal has been directed to the Superintendent of Police, he must reply within fifteen (15) days of the date of the appeal. If he does not reply the appeal shall be deemed denied. Any denial by the Superintendent of Police, either by expiration of the time limit or for other reasons may be appealed to the Personnel Director.

- b. Second Appeal - Following the denial of a grievance by the Police, the appeal must be submitted within fifteen (15) days to the Personnel Director. Failure to present the appeal within time limits will constitute abandonment of the grievance.

The Personnel Director must reply to the appeal within thirty (30) days except in instances when the Personnel Director exercises his option to extend the time limit by fifteen (15) days. If the Personnel Director does not response of the appeal within the prescribed time limits, the grievance shall be deemed valid.

2. Class B Grievance

- a. Class B grievance appeals must be directed to the Personnel Director within fifteen (15) days of denial by the Manager, Operating Personnel Division. If the grievance is not appealed within fifteen (15) days, the grievor is deemed abandoned.

- b. The Personnel Director must reply to the appeal within thirty (30) days except in instances when the Personnel Director exercises his option 11 extend the time limit by fifteen (15) days. If the Personnel Director does not response of the appeal within the prescribed time limits, the grievance shall be deemed valid.

3. Final Appeal

The Executive Director may, at his discretion, review the Personnel Director's appeal response to any grievance. Requests for such review must be made to the Director of Administration no later than fifteen (15) days after receipt of the Personnel Director's initial denial, or in the case of fact finding his subsequent denial or modification.

E. Impartial Fact Finding

1. By the Personnel Director

The Personnel Director shall find the facts and interpret the applicable Port Authority Resolution, Instruction of general application relating to conditions of employment, and determine whether the facts, so found, constitute a violation thereof.

2. By Impartial Fact Finder

If the Personnel Director denies the grievance based on findings of fact and if the grievant disagrees with the facts found by the Personnel Director, the grievant may request, within fifteen (15) days after the Personnel Director's denial, that such findings of fact, and such findings only be submitted to an impartial fact finder who shall thereupon report to the parties, his findings on the facts in dispute.

Within fifteen (15) days after the Personnel Director receives the fact finder's report, he shall in writing, affirm, modify or reverse his initial determination.

3. Limitations on the Impartial Fact Finder

The impartial party's report shall be limited to the fact he finds and shall not be binding upon the Personnel Director. The fact finder shall not interpret or attempt to apply any statute, order, judicial decision, Port Authority resolution or Instruction of general application relating to conditions of employment.

The fact finder shall not make recommendations concerning any aspect of the grievance before him, or any other grievance, nor shall he make recommendations concerning the grievance procedure or the applicability of alternate solutions to the handling of the grievance before him or any other grievance.

The impartial fact finder shall be selected by mutual agreement between the Port Authority and the appellant (or his representative) and the fact finder's fees and expenses shall be shared equally

4. Limitations on Fact Finding

Fact-finding may not be involved in classification grievances alleging that a classification should be assigned to a higher wage levees.

I. INTRODUCTION

In recognition of the many years of public service, the Police Division, along with the Port Authority, expresses in some small measure its deep appreciation by presenting Port Authority Police with a "Retired" Shield as retirement award.

II. POLICE DIVISION PROCEDURE

The Police Division Manpower Planning Section will, upon receiving the advance list of retirees, verify it and forward copies to all members of the Police Division staff. The Police Division Equipment Sergeant will order and have the Retirement Shield Award available for presentation at least one week prior to the announced retirement date of the member of the force. The Superintendent of Police or his designated representative will present the award on retiree's last day of work.

III. AWARD

Retirement Shield

A duplicate of the shield carried by the member of the force on the day of retirement, with the word "retired" written across the face of the shield, will be presented to retiring members of the Police Division. This retirement shield will be awarded to recipient officers for:

- A. Twenty or more years of service.
- B. Accidental Disability Retirement.
 - 1. The injury must be job incurred and have happened during the performance of police duties.
- C. Ordinary Disability Retirement.
 - 1. The retiring officer must have ten or more years of service.
- D. Twenty or more years of service, where the member transfers to a non-police position in the Port Authority while in good standing.

Retirement Identification Card

The police identification card carried by the member of the force on the day of retirement shall be stamped with the word "retired" written across the face of the card.

If the Equipment Sergeant determines the retirees' identification card is unserviceable, the Equipment Sergeant will be authorized to issue a new card to the retiree and stamp the word "retired" across the face of the new identification card.

IV. LOST/STOLEN RETIREMENT SHIELD

- A. If a retiree reports a lost or stolen retirement shield, he may apply to have it replaced for a one-time replacement. Approval for replacement is subject to approval of the Superintendent of Police and will be at the retiree's expense.
- B. The request for replacement will be handled in the following manner:
 - 1. A written request will be made to the Superintendent of Police detailing the circumstances involved in the loss.
 - 2. A copy of a local police department report listing the lost/-stolen shield will accompany the letter of request.
 - 3. If the request is denied, the Equipment Sergeant will inform the retiree by mail indicating the reason for denial.
 - 4. Upon approval by the Superintendent of Police, the Police Division Equipment Sergeant will request the retiree to forward a certified bank check in the appropriate amount, payable to the Port Authority of New York and New Jersey, to the Equipment Sergeant for processing.
 - 5. After the Administrative Section receives the certified check, the Equipment Sergeant will order a duplicate retirement shield be made from an appropriate vendor, except that a capital letter R will be inscribed after the retiree's name. The capital letter R shall indicate that this new shield is a duplicate and can be distinguished from the original if it is ever recovered.
 - 6. The replacement shield will be forwarded to the retiree via registered mail. A record of this shield will be made, noting it as a replacement on the Police Division retired shield index card.

I. INTRODUCTION

The medal for meritorious police duty is awarded for outstanding performance during a specific incident, which in kind or degree is clearly beyond normal requirements, but is not of the caliber, which would qualify the recipient for the Police Commendation Medal. The types of performance meriting this recognition would be classified among those now reported on Commendatory Incident Report (Form P.A. 1985)

II. EXAMPLES

Acts for which the medal for meritorious police duty may be awarded are:

A. Arrests - Not involving immediate risk of life.

1. Through a police or other type of alarm, making an important arrest in circumstances involving personal risk.
2. The use of good judgment and alert observation that results in an important arrest.
3. The use of outstanding skill in interrogation/investigation resulting in an important arrest.

B. Fires

The evacuation of people from burning structures or conveyances.

C. First Aid

Rendering first aid to injured or ill persons in situations demanding the exercise of immediate, decisive and outstanding judgment and action.

D. Rescues

Preventing the loss of life through drowning, attempted suicides or other type of incident that reflects favorable upon the Port Authority Police.

E. Group Action

Participating in an incident for which the principal participant is deserving of a higher award, but where participation in a supporting role is in itself not worthy of a higher award.

F. Repeated Acts of Exceptional Police Duty

Acts, which by themselves do not merit or meet the criteria for the Meritorious Police Duty Medal, will be recorded upon a Commendatory Incident Report. Three Commendatory Incident Reports, when grouped together as separate incidents of commendation will make the recipient eligible to be considered for a Meritorious Police Duty Medal. NOTE: Commendatory Incident Reports received prior to January 1970 will not be considered for the Meritorious Police Duty Medal.

III. PROCEDURE

- A. After receiving a report of an incident which may be worthy of the award of the Meritorious Police Duty Medal, the Police Commanding Officer will investigate' the incident.
 - 1. A member of this department may prepare, if he is of the opinion recognition is warranted, a request for investigation of an incident to his Commanding Officer. The Police Recognition Request Form (Appendix "A") will be used for this purpose.
- B. If the investigation shows such action to be warranted, the Commanding Officer will prepare and forward a recommendation for the award to the Police Inspector, who will act as the designee of the Superintendent of Police.
 - 1. If the Commanding Officer disapproves an officer's request for recognition, the officer may file an appeal within ten (10) days of the Commanding Officer's disapproval. This appeal will be forwarded to the Medal Review Board for their review and decision. The Officer will use the Police Recognition Request Form for this appeal (Appendix "A").
- C. Commanding Officers will make recommendations for the award as soon after the incident as practical.
- D. The Police Inspector will make a preliminary review of the _ recommendation, and if necessary acquire further information from the recommending Commanding Officer or other available sources.
- E. The Police Inspector will convene the Medal Review Board to review the submitted recommendation(s).

IV. MEDAL REVIEW BOARD

- A. A Medal Review Board will be designated by the Superintendent of Police and will consist of six members:
 - One Police Inspector
 - One Police Deputy Inspector
 - One Police Lieutenant
 - President - Police Benevolent Association
 - President - Sergeant's Benevolent Association
 - President- Superior Officer's Association
- B. The three highest-ranking members of the Medal Review Board will be appointed by the Superintendent of Police and will serve for a period of one year. Three alternates will also be named for these positions.
- C. The position of Deputy Inspector will be filled from the Police Division staff.
- D. The Police Medal Review Board will normally meet quarterly (February, May, August, and November). The Superintendent may in addition to the normal schedule, convene the board anytime it is deemed necessary.

Recommendations for medal awards will be forwarded by facility Commanding Officers not later than 30 days prior to the first day of the month in which the Board meeting is held.

Recommendations must consist of an original and five copies of all pertinent material.

- E. The Police Inspector will present the award recommendations to the Medal Review Board for examination.
- F. The recommendations of the Medal Review Board will be forwarded to the Superintendent of Police.

V. SUPERINTENDENT OF POLICE

- A. The Superintendent of Police after reviewing the recommendations of the Medal Review Board and either approve or disapprove the award.
- B. The Superintendent of Police at a special award ceremony will present awards to the recipients. The Superintendent of Police will determine the date of this ceremony.
- C. The Personnel Department will be notified by memorandum of:
 - 1. Recipient's name, rank, shield number and command.
 - 2. Reason for recognition.
 - 3. Date of the award.

VI. AWARDS

- A. The recipient of the Meritorious Police Duty Medal will be granted one additional vacation day during the twelve-month period following the award ceremony. Only one vacation day will be granted for each medal awarded.
- B. A letter of citation will accompany each medal awarded. The Director of Administration and the Superintendent of Police will sign the citation.

VII. INSCRIPTIONS

- A. The rear of the medal shall be inscribed:
 - Rank - Name
 - Month - Year
- B. An additional medal will be presented for each subsequent occasion for which a member of the force is to be a recipient of a Meritorious Police Medal. The back of each succeeding medal will be inscribed indicating the number of the award as follows:
 - 1. Occasions award presented to recipient e.g. second, third, etc.
 - 2. Rank, name, month and year of the award.

VIII. BREAST BARS

- A. A breast bar will be worn on the police uniform, in accordance with P.D.I. 7-10, to indicate that the wearer is a recipient of the Meritorious Police Duty Medal. A bronze oak leaf cluster will be affixed to the breast bar for each additional medal received. Only three clusters will be affixed to any one-medal bar.
- B. When the fifth medal has been awarded to an individual, he will wear the breast bar with a silver oak leaf cluster attached.
- C. A lapel pin will be awarded with each medal and may be worn on civilian clothes.

IX. SUPPLY

A minimum supply of twenty medals, twenty medal cases and ten bronze clusters will be maintained at the Police Division.

APPENDIX A

POLICE RECOGNITION REQUEST FORM

To Commanding Officer _____ Command _____ Date _____

I respectfully request an investigation into the following facts to determine my eligibility for a medal award.

Rank / Name _____ Shield / _____ Command _____ On duty Off duty

Occurrence

Time / Mo / Day / Yr / _____ Location _____ Tour _____

Check forms available for investigation

CCR no. _____ Aide _____ Handwritten _____ Others _____

Witnesses / Address if of duty _____

Brief statement of act _____

Commanding Officer: _____ Date _____ Signature _____
Recognition and recommend: _____ I have investigated this request for _____ Date _____

- APPROVAL, recommendation will be submitted to the Medal Review Board
- DISAPPROVAL, (state reasons below)
- Commendatory Incident Report

Request the Medal Review Board review the minutes of the investigation and the Commanding Officer's decision.

(Must appeal within 10 days) _____ Date _____ Signature _____

Chairman of the Medal Review Board _____ The board has reviewed the minutes of the investigation and recommends:

- APPROVAL: Recommendation for an award will be submitted to the Inspector of Police
- DISAPPROVAL: List reasons for disapproval below



I. INTRODUCTION

The Excellent Police Duty Breast Bar has been established to recognize one or more incidents of commendable service.

II. PURPOSE

This instruction defines the procedure to be followed to provide for the award of a Breast Bar for Excellent Police Duty. Excellent Police duty is defined as a commendable act by a Port Authority Police Officer documented as a Commendatory Incident Report on PA form #1985 (Incident Report) by any Port Authority supervisor, which is followed by review and approval by the Office of the Superintendent of Police.

III. PROCEDURE

All Commendatory Incident Reports will be processed according to instructions in Police Division Instruction 2-7, Incident Report and Lateness Report.

A. Following review and approval by the Office of the Superintendent of Police, the Special Service Unit Sergeant will record the officer's name, date and incident in a Police Division Index File. The Special Service Sergeant will monitor the number of incident reports and issue an appropriate Bar when warranted.

B. The Excellent Police Duty Breast Bar will be awarded under the following conditions:

1-4	Commendatory Incident Reports	- Bar Unadorned
5-9	Commendatory Incident Reports	- Bar 1 Bronze Cluster
10-14	Commendatory Incident Reports	- Bar 2 Bronze Clusters
15-19	Commendatory Incident Reports	- Bar 3 Bronze Clusters
20-24	Commendatory Incident Reports	- Bar 1 Silver Cluster
25-29	Commendatory Incident Reports	- Bar 2 Silver Clusters
30+	Commendatory Incident Reports	- Bar 3 Silver Clusters

C. The Special Services Sergeant will forward a Breast Bar to the appropriate Facility Commanding Officer, who shall present the Bar to the recipient. The recipient of a new Breast Bar shall surrender any previously awarded Excellent Police Duty Breast Bar to the Commanding Officer upon receipt of a new Bar. The Commanding Officer will recover the previously issued Bar and return it to the Special Service Sergeant. Only one Excellent Police Duty Breast Bar is authorized to be worn by a member of the force at one time.

- IV. An award of the Excellent Police Duty Breast Bar does not preclude a member of the force from submitting a commendatory incident for further consideration for the Meritorious Police Duty Medal (Police Division Instruction 2-12.)

NOTE: The date of incident must not be prior to January 1, 1984 to be considered for the Excellent Police Duty Breast Bar.

I. INTRODUCTION

The Police Division Group Citation is presented to members of the Police Force whose performance in carrying out a specific police action involving three (3) or more officers acting in concert during an unusual emergency situation, is so outstanding so as to warrant special recognition by the Superintendent of Police but is not quite of the caliber which would warrant award of the Executive Director's Unit Citation.

II. CRITERIA

1. The task should be of such a nature that each member of the group cooperated jointly in its accomplishment.
2. Among the kinds of achievement for which the award may be given are:
 - a. Actions during emergency situations which result in the saving of lives or the avoidance of loss of life, such as;
 1. Serious motor vehicle accidents
 2. Evacuations during fires
 3. Rescues (drowning, attempted suicide, etc.)
 4. First Aid (CPR, etc.)
 - b. Actions which result in an important arrest
 - c. Any other situation deemed appropriate by the Superintendent of Police.

III. AWARD

The recipients of this award will be given a certificate enumerating the achievement and signed by the Superintendent of Police. Recipients will also be entitled to wear the Police Group Citation breast bar (no medal or other compensation accompanies this award.)

IV. PROCEDURE

1. If in the opinion of the Commanding Officer of a unit or facility, the actions of a group of individuals assigned to his command fall within the criteria as stated in paragraph II above, he will forward a recommendation including all related reports to the Inspector of Operations.
2. The Inspector of Operations will review the circumstances with the Commanding Officer. If in his opinion the incident warrants consideration, the Inspector of Operations will forward the recommendation to the Medal Review Board for review.
3. If the Medal Review Board concurs, a recommendation for approval will be

forwarded to the Superintendent of Police.

4. The Superintendent of Police will make the final determination as to the awarding of the Police Division Group Citation.
5. If the Group Citation is awarded, the Superintendent of Police will determine the place, method and time of the presentation.

I. INTRODUCTION

This instruction prescribes the conditions under which members of the Police Force will be reimbursed for expenses incurred as a result of using either public transportation or private vehicles for travel to and between facilities.

II. PUBLIC TRANSPORTATION EXPENSES

- A. Members of the force, who are required to respond to work on a regular day off, will be compensated for the full cost of public transportation to the facility of work and return home.
- B. Members of the Central Police Pool, when required to respond to a facility further away from their home than their home facility (JCTC), will be compensated for the difference in cost of the public transportation between the Journal Square Transportation Center and the facility of assignment.

III. AUTHORIZED MILEAGE

- A. Members of the force may be authorized to use their personal vehicles, under the following circumstances:
 - 1. When public transportation is unavailable due to the hour of the day or the day of the week that the officer is required to respond to work.
 - 2. When the use of public transportation is impractical, such as:
 - a. response to emergency situations;
 - b. response to fill emergency manpower needs.
 - 3. When it is more economical to use a private vehicle than public transportation, as for example, when a number of employees are traveling to the same destination.

B. Authorization

The use of mileage must be authorized in advance and may be authorized by any of the following:

- 1 Facility Commanding Officer;
- 2 Tour Commander;
- 3 In the case of Central Police Pool personnel, the Central Police Desk Sergeant.

C. Compensation

If mileage is authorized, members of the force will be compensated at the rate of 14 per mile, as specified in P.A.I. 15-3.05, "Use of Rented and Employee Owned Vehicles".

D. Mileage Charts

Members of the Central Police Pool are required to complete a mileage chart listing the mileage from home to the various facilities. In addition, the cost of public transportation to the various facilities along with the names and routes of appropriate bus companies, railroads, subways, etc., will be listed.

E. Computation

1. The Central Police Desk Sergeant will use the mileage charts to compute the amount of reimbursement for mileage authorized to Central Police Pool personnel.
2. To determine the amount due for inter-facility travel, the Sergeant will consult the chart listing road mileages between Port Authority facilities.
3. To determine the amount due for mileage differential, the Sergeant will consult the appropriate chart to determine the distance between the officer's home and the facility to which originally assigned. The distance between the officer's home and the subsequent facility of assignment is then computed. The first figure is then subtracted from the second figure and the difference is multiplied by \$.12c

IV. TOLLS

The use of non-Port Authority toll facilities will be authorized if such use will result in a substantial saving of travel time, or would materially reduce the distance to be traveled. Receipts for tolls paid will be attached to P.A. form 618, "Petty Cash Voucher, when the voucher is submitted for approval.

ACCIDENTS

Police Officers involved in motor vehicle accidents while operating their personal vehicles on authorized Port Authority business, will be governed by the provisions of P.A.I. 15-3.05, paragraph D.

V. PETTY CASH VOUCHERS

To secure reimbursement, the Police Officer will submit a Petty Cash Voucher, P.A. Form 618, listing the date incurred, the reason and the route taken, e.g. "mileage from Holland Tunnel to Newark Airport to home (Bogota, NJ). Re-assigned after reporting to H.T." After completing the voucher, the regular procedure for the processing of the voucher, will be followed.

I. INSTRUCTION

This instruction prescribes requirements for participation in the Emergency Officers Training Program and the methods used in the selection and training of personnel.

II. PURPOSE

The purpose of this instruction is to standardize the selection and training process.

III. REQUIREMENTS:

In order to be accepted for participation in the Emergency Garage Officers Training Program, a police Officer must meet the following requirements:

- A. Have at least one year of continuous Port Authority Police service immediately prior to the closing date for acceptance of applicants.
- B. Be approved by the Medical Department for heavy-duty emergency activity and successfully complete the Keystone Telebinocular Vision Test.

NOTE: The use of glasses is permissible.

- C. Have a satisfactory sick and disciplinary record.
- D. Be recommended for the training by the facility commanding officer.

NOTE: A police officer will not be accepted for participation in Emergency Garage Officers Training if he is known to be about to terminate his Port Authority employment or if his name appears on any existing Civil Service list.

IV. APPLICATION FOR TRAINING

It is the responsibility of the facility commanding officer to request the Superintendent of Police to issue a call for applicants for Emergency Garage Officers Training whenever the reserve supply of trained Emergency Garage Officers at his facility requires augmenting. Upon issuance of a call for applicants all police officers who wish to be included in the Emergency Garage Officers Training class may submit requests to their facility commanding officers, provided they meet the one-year service requirement.

- A. As requests are received, they will be processed by the facility commanding officer who should consider the following points:

1. Record of disciplinary action.
 2. Record of disabling injuries.
 3. Attendance record for the past two years.
 4. Motor vehicle driving record.
 5. Physical fitness.
- B. The facility commanding officer will then select the number of men necessary to fulfill facility requirements and submit a recommendation to the Superintendent of Police that those men selected receive Emergency Garage Officers Training. The facility commanding officer will identify the candidates in the recommendation and will assign a numerical value, ranging from a minimum of zero to a maximum of ten to each candidate. The numerical value so assigned by the facility commanding officer should reflect his evaluation of the candidate in comparison to the other candidates he recommends for Emergency Garage Officers Training.
- C. The final selection of applicants will be subject to the approval of the Superintendent of Police.

V. TRAINING AND ASSIGNMENT.

The Emergency Garage Officers Training course will be conducted by members of the Police Academy staff and will consist of classroom instructions and practical field instructions. Trainees will be required to attain a passing grade of at least 70 in a written examination during the academic phase of the course.

- A. In the course of the practical field work phase of Emergency Garage Officers Training, each applicant, will be required to demonstrate his ability to operate heavy vehicles during a period of driver training conducted by members of the Police Academy staff. An applicant who exhibits a serious driving problem during the driver training phase will be eliminated from Emergency Garage Officers Training. A "serious driving problem" will be identified by the judgment of a member of the Police Academy staff and may constitute one or more of the following conditions:
1. Repeated unwillingness or inability to follow specific instructions of authorized training instructors to an extent that is likely to endanger life or cause damage to Port Authority property or equipment.
 2. Repeated unsafe driving practices or traffic violations in disregard of specific instructions in proper and safe driving practices.
 3. Inability to overcome initial nervousness associated with exposure to operating heavy vehicles, which materially affects driving ability.
- B. On completion of Emergency Garage Officers Training, the Police Academy will compile a master eligible list of successful candidates in the order of their overall evaluation based on the following:
1. The numerical value assigned to each candidate by his facility commanding officer will constitute a maximum of ten percent of the overall evaluation.

2. The candidate's seniority will constitute a maximum of ten percent of the overall evaluation. Candidates will be graded with one percent for each year of service up to a maximum of 10 percent for ten years.
 3. The candidate's grade on his written examination will constitute a maximum of 80 percent of the overall evaluation.
- C. Candidates shall be placed on facility eligible or seniority lists at the facilities to which they are regularly assigned in the order in which their names appear on the master list.
 - D. The facility commanding officer shall make assignments to the regular Emergency Garage detail at his facility in the order of the standing on the facility list.
 - E. In the event a qualified police officer is transferred from a facility at his personal request or through position abolishment, he will be required to request reassignment to the Emergency Garage Officers list through the commanding officer of the assigned facility. If approved, the officer will be positioned at the bottom of the facility detail list.
 - F. For sufficient reason, facility commanding officers may deviate from the assignment policy outlined in D and E, but only with the approval or the Superintendent of Police.



POLICE OPERATIONS MANUAL

SENIORITY - POLICE OFFICER

I. PURPOSE

The purpose of this instruction is to outline a seniority policy applicable to members of the police force in the rank of Police Officer.

II. DEFINITIONS

A. Port Authority Police Seniority

Police Officer seniority will be based on the number of years of Port Authority service as a Police Officer, based on the date of appointment to the police force and the position within his class upon graduation from the Police Academy.

B. Facility Seniority

Port Authority Police seniority will not be applicable and effective as facility seniority until the Police Officer has been permanently transferred and has served at the Facility Police Command for a continuous period of six (6) months.

C. Temporary Transfer to Temporary Authorized Position

Port Authority Police seniority will not be applicable as facility seniority to Police Officers assigned to temporarily authorized positions or short-term assignments. In the event a temporarily authorized position or short-term assignment becomes permanently authorized, the next Police Officer eligible for the transfer will be offered the transfer to the permanently authorized position and if that Police Officer has been assigned to the temporarily authorized position or short-term assignment, the time assigned in the temporarily authorized position will count as if it had been a permanent transfer.

III. MASTER SENIORITY LIST

A master seniority list based on Section II, Paragraph A, will be maintained by Police Division. This list will indicate the official seniority standing of Police Officers of the force and a copy of the master seniority list will be provided to the PBA, and all revisions thereafter.

IV. SHORT-TERM ASSIGNMENTS

- A. Short-term assignments will not exceed ninety (90) days in duration.
- B. When it becomes necessary to make short-term assignments, the junior officer will be assigned from the Central Police Pool unless a senior Police Officer from the Central Police Pool requests such assignment. Where it is desirable to use qualified specialists, assignments will be made on an equalization basis.

V. SPECIAL DETAILS

- A. Special details will be under the control of the Facility Police Commanding Officer. In making assignments to special details, the first consideration will be the maintenance of standards established by the Superintendent of Police. The second consideration will be the preference of senior members of the force.
- B. A special detail is defined as a body of work requiring specialized training for which a roster is maintained at a Facility Police Command or Police Division and which is designated as a full-time (8 hour tour) position, and for which assignments are made in accordance with Section XII, Paragraph 7, a, ii, of the Memorandum of Agreement.
- C. A Police Officer, senior to a Police Officer selected, who requests in writing the reasons he did not receive a special detail, shall be responded to in writing within fourteen (14) days setting forth the reasons for not being selected for the special detail by the appropriate party making the decision.

VI. PREFERRED ASSIGNMENTS

Preferred assignments are work chart positions, which have a specific body of work attached to the assignment, or are preferred Roll Call assignments, which are filled on a tour-by-tour basis. The preferred assignment requires no formal specialized training, and the selection is by police seniority as defined herein.

VII. SPECIALIZED TRAINING

- A. Prior to making a selection for specialized training to qualify a member for a special detail at a command, or to qualify an officer in specialized skills, the Facility Police Commanding Officer shall notify all Police Officers at his command of the pending training program, giving at least three (3) weeks for applications to be submitted.
- B. In the notice of training opportunity', the Commanding Officer shall set forth the following:
1. The name of the special detail or the specialized training;
 2. The criteria which will be used in making the selection as defined in Paragraph C below;
 3. The number of candidates to be used for the training;
 4. The approximate dates, the location and duration of the training program;
 5. Any special limitations or considerations involved in the special detail such as squad or position assignments or limitations;
 6. Where there is a bona fide requirement that a Police Officer has a specific and objective work-related skill prior to being considered eligible to apply for a particular type of advanced specialized training, the announcement for such training shall indicate the same fully and completely.
- C. To be accepted for any/all specialized training, whether conducted locally, by the Police Academy, outside agencies or otherwise, a Police Officer must meet the following criteria in all cases:
1. Sick Leave

A record of either five (5) or more occasions of sick leave, or 31 or more days of sick leave in the twelve-month period prior to the announcement of the training program excludes a Police Officer from consideration for the announced training opportunity.

 - a. A Police Officer must meet the standard contained in Sick Leave Policy, P.D.I. 2-9, i.e., Standard - no more than four occasions of sick leave within the twelve months prior to the announcement of the training program.
 - b. Days spent by a member in a hospital for treatment and days

contiguous to such hospitalization will not be included.

c. The first occasion of absence due to each injury incurred in the line of duty shall be excluded from the 30 days sick leave review and shall not be deemed an occasion of absence.

2. Discipline

a. Where a Police Officer has been disciplined pursuant to P.A.I. 20-1.10, and the nature of any of the charges for which he has been disciplined related directly to the nature of the detail for which a training opportunity is offered, he/she shall be excluded from consideration for that announced training opportunity.

b. Such exclusion from a particular training opportunity shall not affect the Police Officer's eligibility to apply for other training opportunities unrelated to such charges.

3. Seniority

Where Police Officers are eligible to apply for a training opportunity as set forth above, all selections of applicants shall be based solely upon job seniority as defined in Section, II, Paragraph A herein.

D. A Police Officer senior to a Police Officer selected, who requests in writing the reason he did not receive specialized training for placement on a special detail roster, shall be responded to in writing setting forth the reasons for not being selected for this training by the appropriate party making the decision.



POLICE OPERATIONS MANUAL

SENIORITY

I. PURPOSE

The purpose of this instruction is to outline a seniority policy applicable to members of the police force in the grade of Detective.

II. DEFINITIONS

For the purposes of this instruction, seniority will be based on the number of years in grade. Seniority for Detectives will be based on the number of years of Port Authority service as a Detective, and, if identical, based upon total Port Authority Police seniority.

Seniority will not be applicable and effective as facility seniority until the Detective has been permanently transferred and has served at the Facility Police Command for a continuous period of six (6) months.

III. MASTER LIST

A master seniority list based on Section II will be maintained by Police Division. This list will indicate the official seniority standing of Detectives and a copy of the master seniority list will be provided to the association and all revisions thereafter.

IV. DETAILS OR PREFERRED ASSIGNMENTS

A detail is defined as a body of work requiring specialized training, and preferred assignments are work chart positions which have a specific body of work attached to the assignment, but which require no specialized training.

V. TRAINING

Other than training requirements for qualification for any detail not filled by seniority only, or requirements for individuals in positions selected at the Superintendent's sole option, all training opportunities will be filled using the following procedures:

Subject: Seniority

P.O.I. 2-1B

Issued:

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Revised July 3, 1983

Effective: July 3, 1983

1. Training programs will be announced and posted on all bulletin boards;
2. The announcement shall set forth the nature of the training, the duties associated with any detail requiring the training, and indicate any limitations dealing with the training opportunity or subsequent detail assignment, if applicable.
3. Following a three (3) week application period, the selection shall be made based solely upon seniority as defined herein, subject to rejection for demonstrable cause.
4. Any Detective senior in grade to the selected Detective may appeal to the Superintendent of Police, whose decision shall be subject to the grievance/arbitration procedure.



POLICE OPERATIONS MANUAL

SENIORITY - POLICE SERGEANTS

I. PURPOSE

The purpose of this instruction is to outline a seniority policy applicable to Police Sergeants and Detective Sergeants.

II. DEFINITIONS

A. Police Sergeants

Seniority for Police Sergeants is based on the number of years of Port Authority service as a Police Sergeant, and, if identical, based upon total Port Authority Police seniority. Total Port Authority Police seniority is computed on the number of years of Port Authority Police service, based on the date of appointment to the police force and the position within his class upon graduation from the Police Academy.

B. Detective Sergeants

Seniority for Detective Sergeants is based on the number of years of Port Authority service as a Detective Sergeant. If assignment occurs on the same day, seniority is based upon the number of years of service as Police Sergeant, and, if identical, based upon total Port Authority Police seniority.

C. Facility Seniority

Seniority is not accrued at a Facility Police Command by a Sergeant until the Sergeant is assigned to the Facility Police Command continuously for a period of six (6) months.

III. MASTER LIST

A master seniority list based on the above definitions will be maintained by the Police Division. This list will indicate the official seniority standing of the members of the force covered by this instruction.





POLICE OPERATIONS MANUAL

Seniority - Police Lieutenants

I. Purpose

The purpose of this instruction is to outline a seniority policy applicable to Police Lieutenants.

II. Definitions

A. Police Lieutenant Seniority

Seniority for Police Lieutenants will be based on the number of years of Port Authority service as a Police Lieutenant.

i. For all Lieutenants promoted prior to April 1, 1988, and for any Lieutenant selected from the permanent promotion roster after April 1, 1988, if promotion of two or more Police Lieutenants occurs on the same day, seniority will be based upon the number of years of service as a Police Sergeant, and if identical, based upon total Port Authority Police seniority. Total PA Police seniority will be computed on the number of years of Port Authority Police service, based on the date of appointment to the police force and the position within his class upon graduation from the Police Academy.

ii. For Police Lieutenants promoted off the vertical promotion roster after April 1, 1988, if promotion of two or more Lieutenants occurs on the same day, seniority as a Lieutenant will be based upon ranking on the vertical promotion roster.

B. Facility Police Command Seniority

Seniority will not be accrued at a Facility Police Command by a Lieutenant until the Lieutenant is assigned to that Facility Police Command continuously for a period of six (6) months.

Subject: Seniority-Police Lieutenants

P.O.I. 2-1D

Issued

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Revised: March 1988

Effective: March 1988

III. Master Seniority List

A Master Seniority List based on the above will be maintained by the Police Division. This list will indicate the official seniority standing of Police Lieutenants covered by this instruction.



POLICE OPERATIONS MANUAL

TRANSFER PROCEDURE - POLICE OFFICERS

I. INSTRUCTION

This instruction established the procedure to be followed in transferring members of the Police Force in the grade of Police Officer.

II. PURPOSE

To insure fair and impartial treatment in the making of transfers, both voluntary and involuntary.

III. PROCEDURE

A. Application for Transfer

1. All requests for transfer shall be submitted on Port Authority Form #2665, and directed to the Office of the Superintendent of Police. These requests will be accepted or rejected by the Superintendent of Police on the basis of efficiency, ability, training and character of the applicant.

2. All acceptable applicants shall be placed on the appropriate list according to the date the application was submitted.

3. Unless an applicant accepts a transfer when it is offered to him, his name will be removed from the transfer list concerned. Moreover, applicants will be restricted from resubmitting a request for transfer to facility concerned until six (6) months have elapsed from date of declination.

4. In the event the person highest on the list does not receive the assignment, he may request a meeting with the Superintendent of Police to discuss the reason for being by-passed.

5. When an opening for a temporary authorized position occurs, an applicant will be considered for the vacancy in the order in which his name appears on the appropriate list. An applicant may elect not to accept the temporary assignment when it is offered and retain his position on the list. All other applicants on the list will be offered the temporary assignment in numerical order until one accepts. If no one accepts, the junior qualified person in the Central Police Pool will be assigned.

B. Qualifications - Transfer Requests

1. Requests for transfer to facilities, other than airport emergency crew trained positions, will not be accepted until the Police Officer has completed one year of service



POLICE OPERATIONS MANUAL

MERITORIOUS POLICE DUTY MEDAL

PURPOSE:

To recognize outstanding performance by sworn members of the Port Authority Police for their performance during a specific incident.

POLICY:

It is the policy of this department to award the Meritorious Police Duty Medal to members who have exhibited conduct in specific incidents, which in kind or degree is clearly beyond normal requirements, but is not of the caliber which would qualify the recipient for the Police Commendation Medal.

TYPES OF PERFORMANCE

The types of performance meriting the recognition of the Meritorious Police Duty Medal would be classified among those now reported on Commendatory Incident Reports (Form PA 1985). The following examples are acts for which the medal for meritorious police duty may be awarded.

Arrests - Not involving immediate risk of life.

- Through a police or other type of alarm, making an important arrest in circumstances involving personal risk.
- The use of good judgment and alert observation that results in an important arrest.
- The use of outstanding skill in interrogation/investigation resulting in an important arrest.
- Fires - The evacuation of people from burning structures or conveyances.
- First Aid - Rendering first aid to injured or ill persons in situations demanding the exercise of immediate, decisive and outstanding judgment and action.

Subject: Meritorious Police Duty Medal

P.O.I. 2-12

Issued January 1, 1992

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Revised: November 15, 1991

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- Rescues - Preventing the loss of life through drowning, attempted suicide, or other type of incident that reflects favorably upon the Port Authority Police.
- Group Action - Participating in an incident for which the principal participant is deserving of a higher award, but where participation in a supporting role is in itself not worthy of a higher award.
- Repeated Acts of Exceptional Police Duty - Acts which by themselves do not merit or meet the criteria for the Meritorious Police Duty Medal will be recorded upon a Commendatory Incident Report. Three Commendatory Incident Reports, when grouped together as separate incidents of commendation, will make the recipient eligible to be considered for a Meritorious Police Duty Medal.

PROCEDURE:

After receiving a report of an incident, which may be worthy of the award of the Meritorious Police Duty Medal, the Police Commanding Officer will investigate the incident.

- A member of this department may initiate a request for recognition and prepare a request for investigation of an incident to the Commanding Officer. The Police Recognition Request Form (Appendix "A") will be used for this purpose.
- If the Commanding Officer disapproves an officer's request for recognition, the officer may file an appeal within ten (10) days of the Commanding Officer's disapproval. This appeal will be forwarded to the Medal Review Board for their review and recommendation. The officer will use the Police Recognition Request Form for this appeal (Appendix "A").
- Commanding Officers will make recommendations for the award as soon after the incident as practical
- The Police Inspector will make a preliminary review of the recommendation, and if necessary, acquire further information from the recommending Commanding Officer or other available sources.
- The Police Inspector will convene the Medal Review Board to review the submitted recommendation(s).

MEDAL REVIEW BOARD

A Medal Review Board will be designated by the Superintendent of Police and will consist of six members:

- One Police Chief

Formerly P.D.I. 2- 12, May 1976

- One Police Inspector or Police Captain
- One Police Lieutenant- LBA
- One Police Sergeant- SBA
- One Detective- DEA
- One Police Officer- PBA

- The two highest ranking members of the Medal Review Board will be appointed by the Superintendent of Police.

- The position of Deputy Inspector or Captain will be filled from the Police Headquarters staff

- The Police Medal Review Board will normally meet quarterly. The Police Inspector may, in addition to the normal schedule, convene the Board at any time if it is deemed necessary. Recommendations for medal awards will be forwarded by facility Commanding Officers no later than 30 days prior to the first day of the month in which the Board meeting is held. Recommendations must consist of an original and five copies of all pertinent material.

- The Police Inspector will present the award recommendations to the Medal Review Board for examination.

- The recommendations of the Medal Review Board will be forwarded to the Superintendent of Police.

SUPERINTENDENT OF POLICE

- The Superintendent of Police, after reviewing the recommendations of the Medal Review Board, may either approve or disapprove the award.

- Awards will be presented to the recipients by the Superintendent of Police or his designee at a special award ceremony. The date of this ceremony will be determined by the Superintendent of Police.

AWARDS

- The recipient of the Meritorious Police Duty Medal will be granted one additional vacation day during the twelve month period following the award ceremony. One (1) vacation day will be granted for each medal awarded.

- A letter of citation will accompany each medal awarded. The citation will be signed by the Director of Public Safety /Superintendent of Police.

Subject: Meritorious Police Duty Medal

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Issued January 1, 1992

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Revised: November 15, 1991

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INSCRIPTIONS

- The rear of the medal shall be inscribed:

Rank - Name

Month - Year

- An additional medal will be presented for each subsequent occasion for which a member of the force is to be a recipient of a Meritorious Police Medal. The back of each succeeding medal will be inscribed indicating the number of the award as follows:
- Occasions award presented to recipient, e.g., second, third, etc.
- Rank, name, month and year of award.

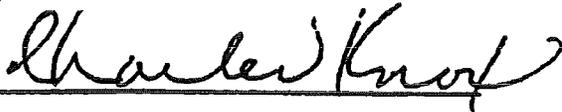
BREAST BARS

- A breast bar will be worn on the police uniform, in accordance with P.D.I. 7-10, to indicate that the wearer is a recipient of the Meritorious Police Duty Medal. A bronze oak leaf cluster will be affixed to the breast bar for each additional medal received. Only three clusters will be affixed to any one medal bar.
- When the fifth medal has been awarded to an individual, he/she will wear the breast bar with a silver oak leaf cluster attached.

SUPPLY

The Special Services Sergeant shall maintain a sufficient supply of Meritorious Police Duty medals, breast bars, and clusters.

By order of:



Director, Public Safety Department
Superintendent of Police



POLICE OPERATIONS MANUAL

POLICE HEADQUARTERS GROUP CITATION

PURPOSE:

To recognize members of the Port Authority Police force for their performance when acting as a group in carrying out specific police action.

POLICY:

The Police Headquarters Group Citation is presented to members of the force whose performance in carrying out a specific police action involving three (3) or more officers acting in concert during an unusual emergency situation, is so outstanding so as to warrant special recognition by the Superintendent of Police but is not quite of the caliber which would warrant award of the Executive Director's Unit Citation.

CRITERIA

The task should be of such a nature that each member of the group cooperated jointly in its accomplishment. Among the kinds of achievement for which the award may be given are:

Actions during emergency situations, which result in the saving of lives or the avoidance of loss of life, such as

- Serious motor vehicle accidents.
- Evacuations during fires.
- Rescues (drowning, attempted suicide, etc.).
- First Aid (CPR, etc.)
- Actions, which result in an important arrest.
- Any other situation deemed appropriate by the Superintendent of Police.

AWARD

Formerly P.D.I. 2- 14, May 1976

Subject: Police Headquarters Group Citation

P.O.I. 2-14

Issued January 1, 1992

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Revised: November 15, 1991

Effective: January 15, 1992

The recipients of this award will be given a certificate enumerating the achievement and signed by the Superintendent of Police. Recipients will also be entitled to wear the Police Group Citation Breast Bar. Group actions recognized by this award will not be eligible for consideration for the Executive Director's Unit Citation. (No medal or other compensation accompanies this award).

The Inspector of Operations will review the circumstances with the Commanding Officer. If in his opinion the incident warrants consideration, the Inspector of Operations will forward the recommendation to the Medal Review Board.

- If the Medal Review Board concurs, a recommendation for approval will be forwarded to the Superintendent of Police.
- The Superintendent of Police will make the final determination as to the awarding of the Police Headquarters Group Citation.
- If the Group Citation is awarded, the Superintendent of Police will determine the place, method and time of the presentation.

By order of:



Director, Public Safety Department
Superintendent of Police



POLICE OPERATIONS MANUAL

LIEUTENANTS TRANSFER PROCEDURE

I. INSTRUCTION

The instruction establishes the procedure to be followed in transferring members of the force holding the rank of Police Lieutenant.

II. PURPOSE

The purpose of this instruction is to provide for the thorough and systematic indoctrination and training of newly promoted Lieutenants as well as for the accurate appraisal of their performance and to provide a fair and impartial system for the transfer and assignment of all Lieutenants both voluntary and involuntary.

III. POLICY

- A. All authorized Police Lieutenant positions will be filled in accordance with this transfer procedure.
- B. Requests for special assignments other than those stipulated in Section IV, Paragraph A below may be accepted. In the event a Lieutenant does not receive the special assignment, he may request a meeting with the Superintendent of Police or his designed representative. Such assignments are not subject to the grievance procedure.

IV. PROCEDURE

- A. Transfer lists will be maintained for the following facilities:

Holland Tunnel, Lincoln Tunnel, George Washington Bridge, Staten Island Bridges/Teleport, LaGuardia Airport, Newark International Airport, Kennedy Airport, PATH, Bus Terminal, World Trade Center, and Lieutenant's Reserve Pool.

The Staff Lieutenant position at the Tunnels & Bridges Regional Command shall be filled from among Lieutenants assigned to the Tunnel and Bridge Commands (H.T., LT., SIB/Teleport, GWB) on a seniority basis. The Vacation Relief Lieutenant assigned to the Tunnels & Bridges Regional Command shall be filled from among Lieutenant assigned to the Lincoln Tunnel on a seniority basis.

- B - 1 The assignment of Lieutenants to the following positions need not be made from the transfer lists. Such assignments shall not be involuntary and are subject to the provision of Section III, Paragraph B, above.

POSITION	FACILITY
Staff Lieutenant	World Trade Center
Staff Lieutenant	Bus Terminal
Commanding Officer	Police Academy
Absence Control Lieutenant	Police Division
Planning & Research Lieutenants	Police Division
Commanding Officer	Central Police Pool
	Police Division (JSTC)

- B - 2 The Planning and Research Lieutenants position in the Police Division is designated for any Lieutenant who is on reduced pay status due to sickness. In the event a Lieutenant enters such status and meets the terms of Section XIX, Paragraph 8, of the

Memorandum of Agreement, he will be placed in the assignment with the Superintendent's right to selection held in abeyance until the completion of the reduced pay assignment. The first assignment under the reduced pay program may be made from a Lieutenant who is medically restricted.

In the event another Lieutenant enters reduced pay status and meets the criteria contained in Section XIX, Paragraph 8, and the Planning and Research position is already occupied by a medically restricted individual, then another position will be established in the Police Division only for the period that the second individual is in reduced pay status.

Whenever a reduced pay assignment is made to the Planning and Research position, the incumbent will be reassigned to the facility and position vacated by the individual entering reduced pay status.

In the event there are two Lieutenants assigned as Planning and Research Lieutenants, the last individual assigned shall be subject to reassignment pursuant to this section, and the individual first assigned shall only be reassigned in the event a second Lieutenant enters reduced pay status.

- C. All requests for transfer shall be submitted on PA Form #2665 and will be directed to the Superintendent of Police or his designated representative. A notice of receipt will be returned to the applicant. All applicants for transfer shall be placed on the appropriate list according to the date the application was received. In the event that more than one application is received on the same day, Lieutenants seniority will be used to place the Lieutenants on the list.
- D. Requests for transfer to a facility may be submitted after a Lieutenant has completed his six-month probationary period, and when accepted, his name will be placed on the active transfer lists.

Upon completion of his sixth month of service as a Lieutenant, he will be eligible for transfer in accordance with this procedure.
- E. In the event a vacancy occurs at any facility for which a transfer list exists, the vacancy is to be filled from the appropriate transfer list in accordance with this transfer procedure until the last transfer would result in the assignment of any newly promoted Lieutenant to a facility other than the Lieutenant Reserve Pool.
- F. Facility Commanding Officers must accept transferred employees in the rank order of their transfer list request unless demonstrable cause can be substantiated. Such exception shall be subject to the grievance procedure "set forth in the Memorandum of Agreement."
- G. Positions held by Lieutenants who have successfully completed their six months in grade are considered to be vacant and they will be filled in accordance with this transfer procedure.
- H. Upon acceptance of a transfer, Lieutenants may not voluntarily re-transfer for a period of six months from the date of assignment. In addition, the transferred Lieutenant will be required to remove his name from all but three active transfer lists. After the first accepted assignment, a Lieutenant will not be eligible to be on more than three active transfer lists.
- I. If a Lieutenant rejects a transfer when it is offered to him, his name will be removed from the transfer list. Applicants will be restricted from re-submitting a request for transfer to the facility concerned until six months have elapsed from the date of declination.

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- J. In the event an opening occurs at a facility and there are no transfer requests on the active list, or no eligible Lieutenant accepts the transfer, the vacancy will be filled using the following sequences:
 - 1. If the vacancy that occurs does not result in the requirement to promote, the junior qualified Lieutenant in the Pool who is not in the Pool as a result of his position on a transfer list or by virtue of his accepting a transfer to the Lieutenants Reserve Pool, shall fill the vacancy.
 - 2. If a vacancy occurs that results in a requirement for promoting a Police Lieutenant, the Lieutenant so promoted shall fill the vacancy at that operating facility.
 - 3. If such a vacancy occurs and it cannot be filled in accordance with Paragraphs 1 and 2 of this section, the junior qualified Lieutenant who has completed six months in grade at any facility for which a transfer list is maintained, will be assigned to fill the vacancy.
- K. Where transfers are required due to a reduction in force, they shall be accomplished in the inverse order of assignment to the facility. Members so transferred will be assigned to the Lieutenants Reserve Pool or to another facility and in the same order be placed at the top of the list for assignment back to the facility from which they were transferred.

V. DETECTIVE LIEUTENANT TRANSFER PROCEDURE

Transfer lists shall be established and maintained for the following CIB assignments: JFK, PABT, and NIA. All transfers shall be in accordance with Section IV of this procedure and shall apply in a similar manner as to all other Police Lieutenant transfers. All Lieutenants assigned as Detective Lieutenants, Job Spec. 2616 shall be permitted to request transfers to fill positions within the CIB for which transfer lists are maintained. The assignment of a Detective Lieutenant for that position may be made by the Superintendent of Police without regard to sonority. Such assignment shall not be involuntary and is subject to the provision of Section III, Paragraph B, above.

VI. GENERAL

The Superintendent of Police may administer individual transfers in personal hardship cases or in individual situations he deems necessary for the good of the force.



POLICE OPERATIONS MANUAL

DETECTIVE TRANSFER PROCEDURE

I. INTRODUCTION

This Instruction establishes the procedure to be followed in the transfer of Detectives; those persons holding the official title covered by Port Authority Job Specification No. 2601, dated November 1972, revised September 1981, revised March 1984, revised April 1988 and further revised June 1998.

II. PURPOSE

The purpose of this instruction is to provide for a fair and impartial system for the transfer and assignment of all Detectives. All Detective positions will be filled in accordance with this procedure.

III. PROCEDURE

A. Facility Transfers

Transfer lists will be maintained for the following Facility Police Commands:

Port Authority Bus Terminal, PATH, World Trade Center, John F. Kennedy International Airport, LaGuardia Airport, Newark Liberty International Airport/Teterboro Airport, Port Newark/Port Elizabeth, 11x7-NY and 11x7-NJ positions.

1. All requests for transfers shall be submitted on P.A. Form 2665 and will be directed to the Superintendent of Police. The Notice of Receipt will be returned to the applicant. All applications for transfer shall be placed on the appropriate list according to the date the application was received. In the event that more than one application was received on the same date, Detectives seniority will be used to place the Detectives on the list.
2. Requests for transfer to a facility may be submitted after a Detective has completed his six-month (6) probationary period, and when accepted, his name will be placed on the active transfer lists. Upon completion of six (6)

months of service as a Detective, he will be eligible for transfer in accordance with this procedure.

3. In the event a vacancy occurs at any facility for which a transfer list exists, the vacancy is to be filled from the appropriate transfer list in accordance with this transfer procedure, until the last transfer results in the transfer of any newly promoted Detective.
4. Transferred Detectives will be accepted in the rank order of their transfer list request.
5. Positions held by Detectives who have successfully completed six (6) months in grade are considered vacant and they will be filled in accordance with this transfer procedure.
6. A Detective will be eligible to be on all active transfer lists, enumerated in Section III, Paragraph A.
7. If a Detective refuses a transfer when it is offered to him, his name will be removed from the transfer list. In such event, a Detective will be restricted from resubmitting another request for transfer for a period of six (6) months.
8. In the event an opening occurs at a facility and there are no transfer requests on the active list, or no eligible Detective accepts the transfer or assignment, the vacancy will be filled using the following procedures:
 - a. If a vacancy occurs that results in the promoting of a Detective, the Detective so promoted shall fill the vacancy at that facility.
 - b. If the vacancy does not result in a requirement to promote, the junior detective within the Criminal Investigations Bureau who has completed six (6) months in grade will be assigned to fill the vacancy.
9. Where transfers are required due to reduction in force, they shall be accomplished in the inverse order of assignment to the facility. Members so transferred will be assigned to another facility and in the same order be placed at the top of the list for assignment back to the facility from which they were transferred.

B. Special Details

Requests for the following special details may be accepted:

- Personnel and Property Security Investigation (CIB-HQ)
- Auto Squad (JFKIA)

- Intelligence Unit (JFKIA)
- Cargo Crime Prevention Unit (JFKIA)
- Computer Ticket Fraud Unit (JFKIA)
- Major Case Squad*/Office of the Inspector General (CM-HQ)

Detective vacancies in these details, except for two (2) of the six (6) Detective positions in the Major Case Squad*/Office of the Inspector General Detail shall be filled as follows:

1. A vacancy shall be announced and posted on all bulletin boards at facilities where Detectives are assigned.
2. The announcement shall set forth the nature of the assignment, the duties of the assignment and will indicate any limitation(s) dealing with the assignment.
3. Following the three (3) week posting period, the selection shall be made, announced and posted on all bulletin boards where Detectives are assigned.
4. Should a reduction in force occur in a Special Detail set forth in Paragraph :B above, the selection of Detectives to be reassigned shall be made in the inverse order of Detective Seniority from among the Detectives assigned to the affected Special Detail. Detectives so reassigned will be returned to their last position and prior facility of assignment.
5. The Superintendent of Police shall select in his discretion two (2) Detectives to fill two (2) of the six (6) Detective positions in the Major Case Squad/Office Of the Inspector General Special Detail. The Superintendent's selection is not subject to the grievance procedure.
6. In the event any of the Special Detail positions/assignments set forth in Paragraph B above are filled on the date of the execution of the Memorandum of Agreement 1991-2003, the Detective in that positions/assignments as of that date shall remain in that Special Detail position/assignment until he vacates said position by the occurrence of any of the following events:
 - a. Death
 - b. Promotion
 - c. Retirement
 - d. Resignation
 - e. Transfer or permanent reassignment
 - f. Involuntary removal as a result of disciplinary action, or

g. Involuntary removal for "demonstrable cause"

C. Interagency Task Forces.

A vacancy in any of the twenty three Interagency Task Force positions or assignments currently in place and identified in Document "M", or in any additional Interagency Task Force positions/assignments or positions/assignments that may be established hereafter up to a maximum of twenty three positions, shall be filled as follows:

1. A vacancy shall be announced and posted on all bulletin boards where Detectives are assigned.
2. Only Detectives who have a minimum of twelve (12) months in grade as a Detective will be eligible to apply for or fill those Interagency Task Force positions or assignments identified in Document "M".
3. The announcement shall set forth the nature of the assignment, the duties of the assignment and will indicate any limitation(s) dealing with the assignment.
4. Except for the five (5) Detective positions or assignments in the FBI NY Joint Terrorism Task Force and the two (2) Detective positions or assignments in the FBI NJ Joint Terrorism Task force, following the three (3) week posting period, the most senior qualified Detective shall be selected. The selection shall be announced and posted on all bulletin boards where Detectives are assigned. Selection for assignments to the seven (7) above identified positions in the FBI NY and NJ Joint Terrorism Task Forces shall be made by the Superintendent of Police following an interview by the Superintendent of Police or his designee of the three (3) most senior qualified Detectives. The selection shall be announced and posted on all bulletin boards where Detectives are assigned.
5. Should a reduction in force occur in an Interagency Task Force the selection of Detectives to be reassigned shall be made in the inverse order of Detective Seniority from among the Detectives assigned to the affected Interagency Task Force. Detectives so reassigned will be returned to their last position and prior facility of assignment. For a Detective with no prior facility of assignment to return to, all of the following shall occur:
 - a. Transfer lists will be run to fill Detective vacancies existing at any facilities.
 - b. Vacancies in any Special Detail will be announced and filled in accordance to Paragraph B of this section.

- c. Vacancies in Interagency Task Forces identified in Document "M" will be announced and filled in accordance with Paragraph C of this section.
 - d. If the Detective was not transferred in the above process, the Detective will be reassigned to any resulting vacant Detective position.
 - e. If there is no vacant Detective position available subsequent to the above process being followed, the Detective will be assigned to Newark Liberty International Airport if a New Jersey resident or John F. Kennedy International Airport if a New York resident.
6. In the event any of the Interagency Task Force positions/assignments identified* Document "M" are filled on the date of the execution of this Memorandum Of Agreement, the Detective in that Interagency Task Force position/assignment as of that date shall remain in that Interagency Task Force position/assignment until he vacates said position by the occurrence of any of the following events:
- a. Death
 - b. Promotion
 - c. Retirement
 - d. Resignation
 - e. Transfer or permanent reassignment
 - f. Involuntary removal as a result of disciplinary action
 - g. Involuntary removal for "demonstrable cause" or
 - h. At the request of the Interagency Task Force Agency.

IV. GENERAL

The Superintendent of Police may administer individual transfers in personal hardship cases or in individual situations he deems necessary for the good of the force.



POLICE OPERATIONS MANUAL

AIRPORT EMERGENCY CREW SELECTION

I. INTRODUCTION

This instruction prescribes the method of selecting, training and assigning police personnel on airport emergency crew transfer lists.

II. PURPOSE

Its purpose is to provide a reserve of trained police officers to be used for loans from the Airport Pool or for transfer to airports to maintain authorized strengths.

III. AIRPORT POOL

The Airport Pool will be maintained at a strength determined by the Superintendent of Police, adequate to cover normal manpower requirements, emergencies and additional permanent assignments. Training and selection will be under the general supervision of, the Commanding Officer of the Police Academy.

IV. APPLICATION FOR TRAINING

When it is necessary to augment the Airport Pool, the Superintendent of Police will issue a memorandum to all members of the force, calling for applicants. Members of the force who wish to be considered for the training must submit a handwritten memorandum P.A. Form 2265 to their Facility Command Officer.

- A. A Police Officer must meet the following standard: Two years of continuous Port Authority Police Service immediately preceding the closing date for application. If an insufficient number of applicants apply, the two-year requirement will be waived.
- B. Facility Commanding Officers will review the handwritten applications as they are received and will forward them to the Commanding Officer of the Police Academy together with the Facility Commanding Officer's Evaluation Sheet.

V. REQUIREMENTS FOR ACCEPTANCE FOR TRAINING

- A. To be considered for Airport Training each applicant must be recommended for the training by his Facility Commanding Officer on a weighted evaluation sheet: The evaluation sheet will contain a provision for the assignment of a numerical evaluation of the applicant by the officer's Commanding Officer. Only those applicants attaining a numerical evaluation of 70 or higher will be considered for further processing for Airport Emergency Crew Training.
- B. Each applicant must be approved by the Office of Medical Services and is required to pass Titmus Vision Test (eyeglasses permitted).
- C. No police officer will be accepted for participation in an Airport reserve training class if he is known to be about to terminate his Port Authority employment.
- D. Members of the force who have applied for Airport Training and were not selected may request a meeting with the Commanding Officer of the Police Academy for a review. Appeals from the Police Academy Commanding Officer's determination may be made to the Superintendent of Police or his designee.

VI. FINAL GRADING

Candidates must attain a minimum-passing grade of 70 in each phase of the training program. At the conclusion of the entire training period, Police Academy Staff members in charge of training will give each candidate a grade based upon the average of the two scores listed below:

- A. Grade obtained from the academic portion of the Airport Training.
- B. Grade obtained during actual performance at Airport Training burning sessions.

VII. ASSIGNMENT TO AIRPORT EMERGENCY CREW TRANSFER LIST

- A. There will be three lists, J. F. Kennedy International Airport, LaGuardia Airport, and Newark International Airport.
- B. A candidate can be on any one or all three lists.
- C. Rank order will be determined by grades attained from the Police Academy.
- D. Final selection of applicants shall be reviewed by the Superintendent of Police.
- E. All candidates who successfully complete the training will be assigned to the

Airport Pool.

VIII. TRANSFER OF AIRPORT EMERGENCY CREW TRAINED PERSONNEL

- A. When a vacancy at an airport exists requiring a transfer from one of the airport emergency crew lists, applicants will be considered for the vacancy in the order in which their names appear on the appropriate list.
- B. When an opening for a permanently authorized position occurs, applicants will be considered for the vacancy in the order in which their names appear on the appropriate list. Unless an applicant accepts a transfer when it is offered, his name will be removed from the transfer list concerned. Moreover, an applicant will be restricted from resubmitting a request for transfer to a facility until six (6) months have elapsed from date of declination.

However, if an applicant who has declined a transfer when it was offered feels that he has sufficient cause for reserving his position on the transfer list, he should direct a report to the Superintendent of Police through channels, giving full particulars.

- C. When an opening for a temporary authorized position occurs, applicants will be considered for this vacancy in the order in which their names appear on the appropriate list and an applicant may elect not to accept the temporary assignment when it is offered and retain his position on the list. All applicants on the list will be offered the temporary assignment in numerical order until one accepts. If no one accepts, the junior qualified person on the appropriate list in the Airport Pool will be assigned.
- D. When a reduction in the authorized police strength at an airport necessitates transfer of Airport Emergency Crew trained personnel from a facility, the transfer will be made in the following manner;
- E. Members of the force will be transferred from the airport in inverse order of their standing on the transfer list from which they were assigned to the airport.

Members of the force so transferred will be assigned to the Airport Pool and on the basis of their standing on the transfer list their names will be placed on the top of the list for assignment to the facility from which they were transferred.

POLICE PATROL GUIDE
GENERAL REGULATIONS

I. INTRODUCTION

It is the purpose of this instruction to establish the policy and procedures to be used by the Facility Commanding Officer in reviewing individual sick leave performance of all police personnel, as well as to provide the means for an evaluation and counseling of those individual cases requiring special attention.

II. STANDARDS FOR SICK ABSENCES

A. The standards for sick absences are:

1. No sick absences in 12 months - Above Standard
2. One to Four separate sick absences in 12 months – Standard
3. Five or more separate sick absences in 12 months - Below Standard

B. All sick absences, including less than full tour absences, doctor's note, and excused by Medical Department absences, will count in the determining of the number of occasions.

III. REVIEWS

- A. Each month the facility Police Commanding Officer will conduct a review of the sick leave performance of all members of his command, for the preceding 12 months.
- B. When a member of the force reaches three occasions of sick absence in a twelve-month period, the facility Police Commanding Officer will conduct a review of the individual's sick record for the previous 24-month period. The review will include all occasions of sick absence, the number of tours and less than full tours of sick absence, medical problems related to the absences and other related data which will aid in reviewing the total record of the person.
- C. The facility Police Commanding Officer will interview the individual to obtain additional information and to counsel him on his performance. A memorandum recording the results of the review and the interview will be placed in the employee's facility file.
- D. When a member of the force reaches four occasions of sick absence in a 12-month period, the facility Police Commanding Officer will again interview the individual. The individual, at this time will be advised that a future sick absence within the 12-month period may result in a recommendation that he be placed on Half-Pay Doctor's Note Status. A memorandum recording the results of the review and the interview will be placed in the employee's facility file.
- E. When the sick leave performance of a member of the force goes below standard, the facility Police Commanding Officer will conduct a review of

the individual's sick record. The individual will be interviewed and based on an evaluation of all relevant data, the facility Police Commanding Officer may recommend that the individual be placed on a Half-Pay Doctor's Note Status for 6 months.

IV. CHANGES IN SICK LEAVE STATUS

A. Half-Pay Doctor's Note Status

1. A recommendation may be made to place a member of the force on Half-Pay Doctor's Note Status after a review of his sick leave record has been completed and the individual has been interviewed and counseled as specified in paragraph III, above. The procedure outlined in Appendix A of this P.D.I. will be used to recommend placement of an individual on Half-Pay Doctor's Note Status.
2. An individual on Half-Pay Doctor's Note Status, who supplies a letter or note from his doctor that he attended the individual during the period of sick leave involved, or who takes time off for sick leave on the advice of the Port Authority Medical Department, will receive pay for such absence, provided he presents the doctor's letter or note to his facility Commanding Officer upon his return to duty. If a note or letter is not presented, the individual will receive no pay for the sick absence.

B. No Pay Status

1. When a review of the sick leave record of an individual on a Half-Pay Doctor's Note Status shows no improvement and continues Below Standard, an evaluation will be made of all relevant information and an interview will be conducted with the individual concerned.
2. If warranted, and as a result of the evaluation and interview, the facility Commanding Officer may submit a recommendation to place the individual on a No-Pay Status for 6 months.
3. The procedure as outlined in Appendix A, will be used.
4. An individual on No-Pay Sick Leave Status may be recommended to receive no pay for each sick absence, while on such status, regardless whether or not he presents a doctor's note or is advised to take time off for sick leave by the Port Authority Medical Department.

C. Follow-up Reviews

1. The sick leave record of an individual, who is on a less-than-full-pay sick leave status, will be reviewed at the end of the 6-month period, while on such status.
2. The review will include and evaluation of all relevant information, and must be followed by one of the actions specified in paragraphs D and E below.

D. Return to Full Pay Status

When the review of the sick record of an individual on less- than full-pay sick leave status, shows an improvement and reflects a Standard or Above Standard performance, the facility Police Commanding Officer will submit a recommendation to return the individual to a Full-Pay Status, as outlined in Appendix B.

E. Continued Less-Than-Full-Pa4 Status

1. When the review of the sick record of an individual on less-than-full-pay sick leave status, shows no improvement and continues Below Standard, an evaluation will be made of all relevant information and an interview will be conducted with the individual concerned
2. If warranted, and as a result of the evaluation and interview, the facility Police Commending Officer may submit a recommendation to continue the individual on less than full pay status for an additional 6 months.
3. The procedure as outlined in Appendix A will be used to recommend that an individual on less-than-full-pay status be extended on such status for an additional 6 months.

V. TO REDUCE PAY

When a member of the force on less-than-half-pay status is absent on sick leave, the facility Police Commanding Officer, after complying with the provisions outlined above, will notify the Inspector-Operations by telephone of his recommendations, in accordance with Appendix C.

APPENDIX A

PROCEDURE FOR CHANGING THE SICK PAY STATUS
MEMBER OF THE FORCE TO A LESS THAN
FULL PAY STATUS

- A. After fulfilling the requirements of the P.D.I., a Facility Commanding Officer who wishes to recommend a change in Sick Pay Status will:
1. Determine if the member under review warrants a less than full pay status for sick leave in accordance with the provisions of this P.D.I.
 2. Prepare a recommendation, original and four copies, to the Superintendent of Police.
 3. If the Superintendent of Police disapproves the recommendation, the original copy will be retained by the Police Division and the four copies returned to the Facility Commanding Officer. If approved, the Police Division retains the original and sends four copies to the Director of Administration.
 4. The Director of Administration, if he approves, retains a copy and forwards three copies to the Manager Operating Personnel Division, Personnel Department. If approved, two copies are returned to the Administrative Assistant, Police Division.
 5. The Administrative Assistant will note his records and return one copy to the Facility Commanding Officer.
- B. Upon receipt of this confirmation, the Facility Commanding Officer will promptly notify the individual concerned that for a period of 6 months from the date of approval by the Personnel Department, he will be in the indicated pay status for sick leave.
- C. The approval procedure will also be used when recommending that an individual in a less than full pay for sick leave status be retained in that status for an additional 6 months.

APPENDIX B

PROCEDURE FOR CHANGING THE SICK LEAVE

STATUS OF MEMBERS OF THE FORCE

- A. To restore an individual to full pay for sick leave status, the Facility Commanding Officer will forward a memorandum to the Superintendent of Police containing a recommendation to that effect for his approval. The memorandum will be in quadruplicate. If approved, the Superintendent of Police will so indicate on all copies of the recommendation. Copies will be processed as follows:
1. Two for Police Division - one for file and one for notification to the Facility Commanding Officer.
 2. One for Administrative Assistant - Police Division.
 3. One for Manager, Operating Personnel Division.

Upon receipt of this confirmation, the Facility Commanding Officer will promptly notify the individual concerned.

APPENDIX C

IMPLEMENTING LESS THAN FULL PAY

- A. When a member of the force who is in a less than full pay status is absent because of illness, the Facility Commanding Officer will:
1. Determine if the sick absence is subject to a reduction in pay in accordance with the provision of the P.D.I.
 2. If a reduction in pay is warranted, telephone notification will be made to the Inspector – Operations.
 3. Inspector, Operations, will notify the Administrative assistant, Police Division.
 4. Upon receipt of the notification from the Inspector, Operations, the Administrative Assistant will cause the necessary notice to be made to the payroll section to reduce the salary of the member of the force.

I. INTRODUCTION

This instruction prescribes the procedure that shall be followed when a member of the force intends to obtain outside employment.

II. NOTIFY COMMANDING OFFICER: PRIOR TO ACCEPTING THE EMPLOYMENT

A. Request for permission to engage in outside employment must be made in writing (3 copies) to the Commanding Officer at Least 2 weeks prior to the time the employment will start. This notification shall include:

1. Name and title
2. Department and facility
3. Name and address of proposed outside employer
4. Type of business
5. Duties of outside employment
6. Hours and days employee will be required to work
7. Starting and ending date for outside employment
8. Reason for outside employment

B. The employment is not to be started until such time the Superintendent of Police has given that approval.

C. Permission to engage in outside employment may be granted for a maximum of one year, but may be revoked at any time by the Personnel Director, or the Superintendent of Police.

D. Requests for extension of this period are processed in the same manner as the original request. These requests are judged and reviewed on the basis of the factors outline in A above, and not on the basis of precedent.

III. TYPES OF PROHIBITED EMPLOYMENT

A. Airy activity related to the performance of police duties such as an investigator, guard, watchman, etc., shall be prohibited.

B. Any employment or business activity where the duties to be performed are incomparable with his position as a police officer, shall be prohibited.

C. Any employment or business, which might jeopardize the best interests of the Port Authority, shall be prohibited.

IV. REVIEW OF REQUEST

- A. After reviewing the request, the Commanding Officer notes his approval, or rejection and reason, on the original and duplicates copies and forwards all copies to the Manager, Police Planning and Administration.
- B. After reviewing the request and prior decision, the Manager notes his recommendation and forwards the request to the Superintendent of Police for approval or rejection. The request is then forwarded to the Director of Administration for processing.

V. REVOCAION OF PERMISSION FOR OUTSIDE EMPLOYMENT

If the employee's performance of Port Authority duties is affected by his outside employment, the Police Commanding Officer will forward a memorandum to the Superintendent of Police recommending revocation of permission to engage in outside employment.

SEPTEMBER 1975

I. INTRODUCTION

This instruction prescribes the procedure to be followed when reports are received regarding lost or stolen Port Authority scrip tickets or commutation books. Facility Police Commanding Officers will meet with the Chief Tolls Supervisors of their respective facilities to develop procedures, which will enable the police unit to comply with the following instructions.

II. GENERAL

As a general policy, notices regarding lost or stolen toll scrip or commutation books will not be disseminated from one facility police unit to another.

III. STOLEN SCRIP OR COMMUTATION BOOKS

- A. The Central Police Desk will transmit reports of stolen scrip or commutation books to facility police units only if the toll tickets or the books are the subject of a Police Department alarm concerning • larceny or other crime. In these cases, the Central Police Desk or the facility receiving the original alarm, will process the alarm as per provisions of P.D.I. 5-3 "Police Alarms".
- B. Upon receipt of an alarm of this nature, the Central Police Desk will notify the police unit at the appropriate facilities. The Facility Police Commanding Officer or the Tour Commander will then notify the ranking tolls unit supervisor and request their cooperation in watching for the particular scrip or books described in the alarm.
- C. If our police apprehend the person tendering the stolen book or scrip, the possessor will be held for the Police Department that originated the alarm, unless instructions to the contrary are received. Our police should issue • receipt and hold the tendered scrip or book until it is determined as to whether or not it will be needed for evidence.
- D. When a reportedly stolen commutation book or scrip is tendered at a toll booth and the collector is unable to obtain immediate police assistance, she should obtain as much information as possible, i.e., time, direction, license plate number, make of vehicle, color, description of operator, etc. This information should be quickly turned over to the facility police. They, in turn, will promptly transmit the information to the Central Police Desk. The Central Desk Sergeant will relay this information to the police unit that originated the alarm.

IV. LOST SCRIP OR COMMUTATION BOOKS

- A. The Tunnels and Bridges Department will normally handle reported losses of toll tickets or books. If the notification of loss is received at either the Central Police Desk or a Facility Police Desk, the information shall be obtained and forwarded to the General Manager of the Tunnels and Bridges Department.

- B. If scrip tickets or commutation books are found and turned into the police at a facility, they will be forwarded to the General Manager of Tunnels and Bridges with a report describing the circumstances.

I. INTRODUCTION

This instruction outlines procedures for the dissemination of traffic information to the various automobile associations, and the news media.

II. PURPOSE

The purpose of this instruction is to:

- A. Standardize terminology for the reporting of traffic conditions to the public.
- B. Insure that traffic diversion procedures are implemented only as outlined.
- C. Obtain the maximum utilization of Tunnel and Bridge facilities during heavy traffic periods.

III. DEFINITIONS

Appraisal of facility traffic conditions is to be based upon information obtained from toll lane counters and periodic observation of the extent of traffic back up. With these factors as criteria, traffic conditions at a facility will be described as being in one of the following general classifications: •

- A. Light - Up to 700 vehicles per hour per available traffic lane on a facility roadway, i.e., on a two-lane roadway up to 1400 vehicles per hour; three-lane roadway up to 2100 vehicles per hour.
- B. Moderate - From 700 to 1000 vehicles per hour per available traffic lane in tunnels or 1100 vehicles per hour per available traffic lane on bridges. In order to be considered moderate, traffic must be moving freely on approaches leading to the facility, at the toll lanes, and on roadways leading from the facilities.
- C. Heavy-Moving Freely - Any vehicle counts in excess of the limits described as moderate, where there is no appreciable delay leading to the facility, On the entrance plaza or on the roadways leading from the facility.
- D. Very Heavy - With Delay - This definition will be used when roadways leading to the facility are overly congested and there are occasional delays. It would normally consist of delays encountered on roadways leading to the facility, on the entrance plaza, or on roadways leading from the facility.
- E. Very Heavy -With Considerable Delay - This definition will be used when an exceptional number of stoppages, caused by vehicle breakdowns or accidents, has resulted in considerable delay to traffic at or near a facility, or proceeding onto roadways leading to or from the facility.

IV. PROCEDURESA. Reporting

1. All reports from facilities to the Central Police Desk will include the location or area in which traffic has to slow down or stop due to congestion ahead at the crossing.
2. The Central Police Desk Sergeant will call the three Hudson River Crossings and the Goethal's Bridge (Staten Island) to obtain traffic reports for transmission to the various interested agencies, whenever such reports are required.
3. Daily, in the morning and evening traffic periods, and on eves of holidays, Sundays and holidays, the Central Police Desk Sergeant will call for traffic reports according to schedule.
 - a. On Fridays and eves of holidays, the first report will be requested at 2:45 P.M.
 - b. On Sundays and holidays, the first report will be requested at 12:45 P.M.
 - c. Daily, the first report will be requested at 6:15 A.M. and 3:15 P.M. Subsequent reports will be requested every half-hour thereafter at a quarter to the hour and a quarter after the hour until traffic has abated for the day.

B. Diversions

On Sunday evenings or holidays when traffic is very heavy with delays at one of the vehicular crossings, and the reports from the other crossings indicate that they are operating at a condition outlined in III A, B, or C, above, it will be the responsibility of the Central Police Desk Sergeant when notifying the automobile associations or news media to state that "(eastbound or west bound) traffic is very heavy with delay at the (facility reporting traffic congestion). The (bridge or tunnel) has (moderate) or (light) or (heavy, free moving) traffic. The Port Authority Police advise motorists to use the (bridge or tunnel)." The tour commander of the facility is consulted before advising motorists to divert.

C. Special Request for Diversion

During normal everyday operation at our facilities, we will not attempt to divert traffic. This procedure will be reserved for Sundays and holidays, but it may be implemented during a flash emergency at one of our facilities such as a serious fire or accident which causes considerable traffic congestion. Under these conditions the Central Police Desk Sergeant, upon request of the tour commander of the affected facility, will request the automobile club and the news media to make a special announcement to inform the public of the delay and advise the use of an alternate facility.

D. Notification

On all divers ions, there are additional notifications to be made by the Central Police Desk:

New York City P.D. Current Situations - 212-374-5580

New York City P.D. Traffic Division Headquarters - 212-374-6930

United Press International (City Desk) - 682-0400

In lieu of calling each radio station, UPI will put it on the wire service and all stations will receive information simultaneously.

The Tunnels and Bridges Department will be notified at 212-466-7370 during business hours or as soon as possible the next business day.

E. Monitoring

1. As much attention as possible shall be given to broadcasts. It is not acceptable that a-radio is merely "On".
2. The monitoring facilities will be the Central Police Desk, the George Washington Bridge and the Staten Island Bridges.

The monitors and stations assigned thereto are:

Central Police Desk - WCBS (880 on dial) and WINS (1010 on dial)

George Washington Bridge - WOR (710 on dial)

Staten Island Bridges - WOR (710 on dial)

- F. Any misinformation noted should be brought to the attention of the Central Police Desk immediately, for transmission to the station involved, with correct information being provided and a request that the corrections be made. Requests by a facility for more detailed information on a specific radio report will also be made through the Central Police Desk.



SEPTEMBER 1975

POLICY

It is the policy of the Port Authority to insure the dissemination of all information regarding Port Authority policies and activities are accurate and consistent. To this end, requests for information concerning Police or institutional activities, from either the public or the press, will be referred to the Public Affairs Department and cleared through that department prior to release, as outlined in P.A.I. 50-1.01. The release of Police related press and public information would be administered as indicated in this P.D.I.

NEWS RELEASESI. Incidents

All incidents at Port Authority facilities, which may be newsworthy, should be immediately reported to the Public Affairs Department and the Central Police Desk by the facility involved. The Public Affairs Department will clear the story and release the information to the press, or authorize an immediate new release by the facility or Central Police Desk, if such a release is desirable.

A. Emergency Notification to the Public Affairs Department1. During Working Hours

Emergency notifications during working hours should be made to 212-466-7777 and the person answering the phone should be told, "This is a flash report on an emergency". The caller will then be turned over to the appropriate information officer who will see that the information is disseminated throughout the Public Affairs Department. Public Affairs will then assume responsibility for all further contact for that inquiry.

2. Other than Normal Working Hours

In snow emergencies and other major incidents which occur outside normal working hours and which require continuing attention to the needs of the news media, Public Affairs staff members handling the matter, will set up a Public Information Center and will notify the facility or facilities concerned so that all questions on the subject can be referred to them.

B. Release of Information

The Central Police Desk Sergeant will issue all news media releases initiated by the Police Division or any of its units.

C. Release of Information

1. The Sergeant will then contact the Public Affairs Department and relay the information.
2. If the Public Affairs Department approves a news release, the Sergeant will contact the appropriate news agencies, through the

telephone numbers that are provided in Appendix A, (List of News Agencies) and supply the information on the News Release Information form. Public Affairs will advise cm contacting particular newspapers, TV and radio stations, depending on the location of the incident.

NOTE: The release will be restricted to that information approved by Public Affairs

II. INQUIRIES

All inquiries from the news media regarding the Port Authority or any of its facilities should be referred immediately to Public Affairs unless the Public Affairs Department has already cleared the story for release by the facility or the Central Police Desk A

A. Inquiries During Working Hours

1. Inquiries from either the public or the news media should be referred to the Public Affairs Department at 212-466-7777.
2. If this is not acceptable to the caller, the person receiving the initial call will take the caller's name and telephone number. The caller will then be advised that a representative of the Public Affairs Department will return his call.
3. The Police Division staff member will then contact the Public Affairs Department and advise them of the inquiry. Public Affairs will be given all the information pertinent to the inquiry.

B. Inquiries Other than During Business Hours

1. The operating unit receiving the inquiry will release previously cleared Public Affairs text or, if not cleared, will obtain the caller's name, telephone number and general subject of the inquiry.
2. If the story has not been cleared, he will advise the caller that he will be contacted shortly in response to his inquiry.
3. The Central Police Desk Sergeant will then be contacted and the following information supplied:
 - a. The name of the caller;
 - b. The telephone number of the caller;
 - c. The subject of the inquiry;
 - d. Specific questions proposed for response;
 - e. All factual information relative to the inquiry.
4. The Central -Police Desk Sergeant, after recording the appropriate information on the "Record of News Inquiry" form (See Appendix C), will then contact the appropriate Public Affairs representative (See Appendix B) to furnish the information for release at the facility, or to receive authorization to release information directly from the Central Police Desk.

C. Requests for Immediate Information

1. In flash-type Police operations, which may be newsworthy, the operating unit will follow the procedure as outlined in paragraph I, B above.
2. Where the requests are made for immediate information on a newsworthy event taking place at a facility, the Tour Commander will assume this responsibility if it is not feasible to refer the inquiry through the, normal channels.

Under these circumstances, the Tour Commander may release Factual Blotter Information.

OPINIONS ON CAUSES, LIABILITY, OR DAMAGE ESTIMATES OR OTHER OPINIONS WILL NOT BE GIVEN UNDER ANY CIRCUMSTANCES.

D. Guides for Release of Immediate Information

The following are guides to aid in the release of immediate information of general interest to the public and news media:

1. Arrests

When and after an arrest is made, the following information should be made available.

- a. The accuser's name, age, residence;
- b. The charge;
- c. The identity of the investigating and arresting agency and length of the investigation;
- d. The circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, possession, and use of weapons and a description of items seized at the time of arrest.

The release of certain types of information by law enforcement personnel may tend to create dangers of prejudice without serving a significant law enforcement or public interest function. Therefore, the following information will not be released:

- a. The identity of a child (under 16 years of age in New York or under 18 years of age in New Jersey) who is either acting as a complainant or is taken into custody;
- b. The identity of a neglected or abused child;
- c. The identity of the victim of a sex crime;
- d. The home address of a member of the force, a complainant or a witness to a crime;
- e. Statements as to character, reputation, credibility, or anticipated testimony of an accused person or a prospective witness;
- f. Admissions, confessions, or the contents of a statement or alibi attributable to an accused person;

- g. The performance or results of tests or the refusal of the Accused to take a test;
- h. The possibility of a plea of guilty to the offense Charged or to a lesser offense, or other disposition;
- i. Opinions concerning evidence or arguments in the case, whether or not it is anticipated that such evidence or arguments will be used at trial.

NOTE: Discretion must be used in all cases and in particular, when the incident involves diplomats, clergy and other prominent persons.

In addition, members of the force will neither encourage nor prevent the photographing of defendants in public places; however, in no case will "posing" of the defendant be permitted. Prisoners in custody will not be permitted to be interviewed by representatives of the news media, nor will members of the force be interviewed with the prisoner present.

2. Airport Alerts and Emergencies

An inquiry received at the operating unit or the Central Police Desk will be answered by quoting what has been entered in the Police Blotter.

Requests for further information are directed to the airline involved or the Port Authority Public Affairs representative.

3. Fatalities

Information identifying accident or suicide victims will not be given until after the next of kin is notified.

Brief factual account of incident may be released.

4. Accidents - Property Damage – Fires

Facts involving incident may be released.

5. Traffic Information

Volume may be disclosed in approximate numbers (usually for a 24-hour period).

Delays and congestions may be noted with reasons for same.

NOTE: Any news agency is entitled to receive traffic information similar to that issued to radio stations during our heavy traffic periods. Refer to P.D.I. 5-1, Dissemination of Traffic Information.

6. Port Authority Policy Matters and Information on Personnel

The Public Affairs Department must handle information on these subjects.

7. Outside Agencies

Any request for information pertaining to an outside enforcement agency will be directed to that agency.

8. Tenants

Causes or opinions will not be given in answer to requests for information pertaining to newsworthy events in which Port Authority tenants are involved. Refer request to tenant concerned.

9. Copies of Press Releases

The following information will be sent by Public Affairs to the Central Police Desk, over and above that provided for in previous paragraphs;

- a. Copies of all news releases;
- b. Copies of all news inquiry forms.

APPENDIX "A"

NEWS MEDIA TELEPHONE DIRECTORYWIRE SERVICES

ASSOCIATED PRESS

City Desk	262-6200
Picture Desk	262-8102
Radio Desk	262-8120

UNITED PRESS INTERNATIONAL

Local Desk	682-0400
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NEW JERSEY BUREAUS

AP (Newark)	(201)642-0151
UPI (Trenton)	(609)392-0700

RADIO AND TELEVISION

CBS (2 and Radio)	765-4321
Radio traffic reports	765-2664

NBC (4 and Radio)	247-8300
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WHEW-TV(5)	535-1000
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ABC (7 and Radio)	581-7777
-------------------	----------

WOR (9 and Radio)	764-7000
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WPIX-TV (11)	883-1100
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WNET. (13)	262-4200
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MUNICIPAL BROADCASTING SYSTEM

WNYC Radio AM	566-3385
WNYC-TV	566-3102

WHN Radio	688-1000
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WINS Radio	867-5100
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UNCA Radio	586-5700
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WHEW Radio	986-7000
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MPAT Radio	(201) 77 0
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NEW YORK NEWSPAPERS

NEW YORK TIMES (M)

Metro Desk		556-1533
Picture Desk		556-1081
City Hall		556-1947
Trenton	(609)	292-5173
Newark	(201)	623-3904
Special recording line		524-4554
Radio Station WQXR		556-1144
Werner Bamberger		556-7336
Ralph Blumenthal		1088
Ned Burks		7347
Carter Horsley		1346
Brendan Jones		7398
Frank Prial		1570
Howard Thompson		1110
Dick Witkin		1087

NEW YORK DAILY NEWS (R)

City Desk		682-1234
N.J. Bureau	(201)	325-2500

NEW YORK POST (E)		349-5000
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JOURNAL OF COMMERCE (14)		425-1616
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WALL STREET JOURNAL (M)		285-5000
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DAILY BOND BUYER (N)		944-2680
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STATEN ISLAND ADVANCE (E)		981-1234
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LONG ISLAND PRESS (E)		658-1234
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NEWSDAY (E)

City Desk	(516)	294-2527
NYC Bureau		736-7711

L.I. BUSINESS REVIEW	(516)	681-8000
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WESTCRESTER-ROCKL&ND	(914)	694-9300
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CHAIN NEWS BUREAU		
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CHRISTIAN SCIENCE MONITOR		757-1222
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NEW YORK NEWSPAPERS

ASBURY PARK PRESS (S)	(201)	774-7000
CAMDEN COURIER-POST CO	(609)	663-6000
ELIZABETH JOURNAL co	(201)	354-5000
EIDSON DISPATCH OQ	(201)	863-2000
JERSEY JOURNAL (N)		
N.Y. Tieline		964-3171
N.J. Switchboard	(201)	653-1000
City Hall	(201)	434-3600
MORRIS COUNTY RECORD (E)	(201)	538-2000
NEWARK STAR LEDGER (M)		
City Desk	(201)	877-4040
Chick Harrison		4179
Andy Stasis&		4139
Switchboard		4141
HOME NEWS (E)	(201)	254-5100
PASSAIC HERALD NEWS (I)	(201)	777-6000
PATERSON NEWS (M-E)	(201)	274-2000
THE RECORD (E)		
City Desk	(201)	646-4099
Switchboard	(201)	646-4000
N.Y. Tieline		279-8484
RED BANK REGISTER (E)	(201)	741-0010
SOMERVILLE COURIER NEWS (E)		
City Desk	(201)	889-8500
Plainfield Bureau	(201)	757-8400
TRENTON TIMES (E)	(609)	396-3232
WOODBRIIDGE NEWS TRIBUNE (E)	(201)	442-0400

MISCELLANEOUS

PR NEWSWIRE	832-9400
RADIO TV REPORTS	697-5100
FAA PUBLIC AFFAIRS	995-9684
AAPA	(202) 638-6263
AOCI	(202) 296-3270
CUSTOMS PUBLIC AFFAIRS	466-4547
KENEDY AIRPORT PRESS ROOM	656-7204
MILTON CAINE	656-7853
OP SAIL '76	466-1997
PORT AUTHORITY PBA	(201) 864-3929
USIA (NEW YORK)	971-5608
VOICE OF AMERICA.	971-5636

APPENDIX "B"

PUBLIC APPAIRS NOTIFICATIONS

NOTIFY

NEWS INQUIRIES
(except re: Airports)

FRANZETTI, HEMMINGER, KATZ, MOMAHAN,
TILLMAN

INCIDENTS At:

Kennedy or LaGuardia Airports

CAINE, FRANZETTI, HEMMINGER, KATZ,
MOMAHAN, TILLMAN

Newark Airport

FRANZETTI, CAINE, HEMMINGER, KATZ,
MOMAHAN, TILLMAN

World Trade Center

FRANZETTI, HEMMINGER, TILLMAN, KATZ,
MOMAHAN

In any event where none of these can be reached, notify J. Tillman or J. Kannelly

TELEPHONES

CAINE, MILTON A.

(316) 692-9512
(516) 549-4244 - P.A. phone

FRANZETTI, EDGAR R.

(201) 569-4664
(201) 560-9023 - P.A. phone

HEMMINGER, ELLEN M.

(212) 969-2403

KATZ, LEON

(201) 261-4576
(201) 263.6077 - P.A. phone

MOMAHAN, PETER A. JR.

(201) 966-4362

TILLMAN, JOHN

(212) 321-0700

KANNELLY, JAMES

(201) 379-6318

APPENDIX "C"
RECORD OF NEWS INQUIRY

DATE _____ TIME _____ RECEIVE BY _____
NAME _____ PHONE _____
PUBLICATION _____
SUBJECT _____
PURPOSE OF INQUIRY (if known) _____

QUESTIONS _____

DATE _____ TIME _____ RESPONSE BY _____
P.A. SOURCES _____
ANSWERS _____

APPENDIX "D"
PORT AUTHORITY POLICE
NEWS RELEASE INFORMATION FORM

DATE _____ TIME _____ FACILITY _____ LOCATION _____

TYPE OF INCIDENT _____ NUMBER OF PEOPLE INVOLVED _____
(Strike, arrest, shooting crash, etc.)

NAMES OF OFFICERS _____ SHIELD _____
INVOLVED _____ SHIELD _____

DETAILS OF INCIDENT _____

PEOPLE INVOLVED NAME _____ AGE _____
ARRESTED: ADDRESS _____ (list other names
INJURED: ** _____ and addresses on
OTHER: _____ Reverse side of
(Specify) NAME _____ form if necessary)
ADDRESS _____ AGE _____

HOSPITAL TAKEN TO: _____ LOCATION: _____

PUBLIC AFFAIRS. REP APPROVING RELEASE _____ TIME _____
INFORMATION
RELEASED TO: _____
(list newspapers, radio, t.v news, services, etc)

INFORMATION RELEASED BY SGT: _____ DATE _____ TIME _____

** THE NAMES OF ALL INJURED PERSONS AND ALL FATALITIES WILL NOT BE
RE EASED UNLESS ASSURANCES CAN BE OBTAINED THAT THE NEXT OF
KIN HAVE BEEN NOTIFIED.

I. INTRODUCTION

This instruction prescribes the Rules of Conduct set forth by the Superintendent of Police for the effective administration of Port Authority Police operations.

These rules have been formulated within the scope and intent of the PAI's, the General Rules and Regulations and departmental, and facility rules.

II. RULES OF CONDUCT

1. A member will be held responsible for any act or omission which in any way is prejudicial to good order or discipline, or reflects upon the good name or reputation of the Port Authority, or adversely affects its interests or those of the general public, whether or not such act or omission is specifically mentioned in these or other rules or regulations of the Port Authority.
2. A member must promptly obey all lawful and proper orders and instructions, written or otherwise, however transmitted or received.
3. A member shall cooperate fully with all employees of the Port Authority in the performance of their official duties.
4. A member shall be civil and respectful to officers of superior rank. The presence of a superior officer on a member's post must be immediately acknowledged by means of a hand salute.
5. A member shall be dignified and courteous in his dealings with other members and all other employees of the Port Authority.
6. A member in contact with the public shall conduct himself with dignity, courtesy and efficiency.
7. A member shall not be absent from duty without official leave.
8. A member shall be punctual in reporting for duty and in maintaining assigned work schedules.
9. A member on duty will be properly uniformed and neat and clean in his personal appearance. This also applies to off duty status, if the uniform is worn. The uniform hat may be left off while a member is operating a patrol car, but must be worn immediately upon leaving the vehicle.
10. A member in uniform shall not carry an umbrella, package, or like object, except when necessary for the performance of duty.
11. A member shall not read or write while on duty unless required for the purpose of duty, except in designated places.
12. A member shall not sleep during an assigned tour except with specific authorization.

13. P.D. I. 9-2A member in uniform shall not smoke except in designated places.
14. A member shall not engage in gambling in any form while on duty or on Port Authority property.
15. A member while on duty shall not engage in any normally legitimate act which when performed on duty and in view of the public may reflect discredit upon the Port Authority Police.
16. A member under color of office shall not solicit rides, services, or anything of value from anyone.
17. A member shall not accept awards, gratuities, or any article of value as payment for favors or services rendered in connection with his official duties.
18. A member shall not make unauthorized purchases from drivers or occupants of vehicles on Port Authority property.
19. A member under color of office shall not attempt to sell or exchange anything.
20. A member, for gain, shall not lend money or anything of value to another member or other Port Authority employee.
21. A member shall be honest, truthful and accurate.
22. A member shall treat as confidential all official police business.
23. A member shall not incur debts that he is unwilling or unable to pay.
24. A member shall not attempt to gain preferential treatment through the aid of political influence or other improper means.
25. A member, except with the permission of the Superintendent of Police, shall not knowingly associate with or have any dealings with criminals, racketeers, gamblers or persons engaged in unlawful activities.
26. A member shall not drink intoxicants while in uniform.
27. A member reporting for a regularly assigned tour of duty with the odor of intoxicants on his breath may be declared unfit for duty.
28. A member while assigned to duty in civilian clothes may use intoxicant if this is necessary in the performance of duty, provided such does not render him unfit for proper and efficient performance of duty.
29. A member off duty is forbidden to use intoxicants to a degree or in such a manner as to discredit the Port Authority Police.
30. A member shall not have an intoxicant on any Port Authority facility or in any Port Authority equipment except in the proper performance of police duty.

31. A member in uniform shall not enter any premises where intoxicants are sold or stored except to eat a meal in a restaurant authorized by the Superintendent of Police, or in the immediate performance of police duty.
32. A member shall not use habit forming drugs unless prescribed by a physician.
33. A member shall not use his time while off duty in a manner that renders him unfit for the proper and efficient performance of his duties.
34. A member except in the discharge of official duty, shall not knowingly write, print, distribute, store or possess any object, writing, film or picture of an obscene, immoral, or defamatory nature.
35. A member shall never brandish a weapon, nor shall he remove his revolver from his holster other than in the proper performance of duty.
36. A member who is arrested or is required to appear before any court or regulatory agency to answer a charge or to appear as a witness, arising out of any incident in which he is involved, on or off duty, must immediately notify the Superintendent of Police, through his command, by telephone, giving basic facts of the incident, or if unable to comply personally, he shall have a responsible person make this immediate notification.
37. A member of the force who under color of office, becomes involved while off duty in any situation, which could or does result in either an arrest or an altercation (verbal or physical) will immediately notify his command by telephone, of the incident. He will then prepare and forward a report of the details of the incident to his commanding officer, for review.
38. When a member of the force becomes aware of information concerning illegal activity in another police agency's jurisdiction, he will promptly bring such information to the attention of his commanding officer for forwarding to the proper authorities. If the information is a threat of imminent danger to life and property outside the officer's presence, the officer should promptly call the information to the attention of the responsible jurisdiction, then notify his commanding officer.
39. A member shall use any and all Port Authority property and equipment • in a safe and efficient manner. All deficiencies must be immediately reported to his superior officer.

Subject: Use of Deadly Force

P.O.I. 5-9

Issued September 21, 1992

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Revised: August, 1992

Effective: October 6, 1992



POLICE OPERATIONS MANUAL

USE OF DEADLY FORCE

PURPOSE:

The purpose of this instruction is to establish guidelines for the use of deadly physical force by Port Authority Police.

This directive is for departmental use only and does not apply in any criminal or civil proceeding. The department policy should not be construed as creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for departmental administrative sanctions.

POLICY:

This department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this department that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the life of the officer or another. The firearm, a defensive weapon, is the ultimate use of force and will be used only after every other reasonable alternative has been exhausted or is found impractical.

DEFINITIONS

Deadly Physical Force when used in this instruction means: physical force which, under the circumstances in which it is used, is readily capable of causing death or serious physical injury. The use of a firearm always constitutes deadly physical force.

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Serious Physical Injury when used in this instruction, means: physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

Reasonable Belief the facts and circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

PROCEDURE:

The basis for justification of the use of a firearm or other deadly force:

A police officer is authorized to use deadly physical force when the officer reasonably believes that the use of deadly physical force is necessary to:

- Defend the officer or a third person from what the officer reasonably believes to be the use or imminent use of deadly physical force;
- Prevent the escape of a fleeing felon when the officer has probable cause to believe that the fleeing felon poses an immediate threat to life or serious physical injury, either to the officer or to other persons.

Where feasible, the officer will identify him/herself and state the intent to use such force. If the suspect heeds the warning, the officer is no longer justified in using deadly physical force.

When an officer is confronted with a situation in which physical force is likely to cause death or serious bodily harm, the officer will consider the following factors:

- The seriousness and nature of the offense.
- The physical ability, mental competence and degree of resistance or violence posed by the suspect.
- Whether physical control of the subject is immediately necessary, or whether the situation can be defused and effectively handled without the use of deadly physical force.
- Whether the use of deadly physical force will create an escalation of violence and/or an unreasonable risk of injury to other persons.

SPECIFIC RESTRICTIONS ON THE USE OF FIREARMS:

- An officer may not use a firearm if its use would in any way unjustifiably endanger innocent persons whom the officer is not seeking to arrest or retain in custody. If in using a firearm, an officer consciously disregards or fails to perceive substantial and unjustifiable risk of injury to innocent persons, the officer may be held liable for the consequences of reckless conduct or criminal negligence. Care and good judgment must be exercised in all instances involving the discharge of firearms.
- Warning shots are not permitted under any circumstances.
- Firearms will remain holstered or secured until such time as the circumstances create reasonable cause for the police officer to believe that it may become necessary to utilize a firearm in accordance with this instruction.
- To reduce the chance of accidentally discharging a weapon, firearms shall not be cocked but will be fired double action.
- Discharging a firearm from or at a moving vehicle is prohibited unless the occupants of the vehicle to be fired upon are using deadly physical force against the police officer or another person by means other than the vehicle. An attempt to stop a moving vehicle through the use of a firearm may place the officer in greater danger than moving out of the path of the vehicle. Revolvers are not intended or designed to be effective in disabling motor vehicles. A disabled moving vehicle or wounded driver is considered an unacceptable risk to innocent bystanders.

PERMISSIBLE WEAPON DISCHARGE

Police officers may also discharge a weapon under the following circumstances:

- At in-service training.
- At a licensed pistol range.
- At competitive shooting events.
- To destroy an animal that represents a threat to public safety. (The destruction of vicious animals should be guided by the same restriction on the use of firearms as set forth for self-defense and the defense and safety of others).
- To destroy an animal as a humanitarian measure where the animal is seriously injured. An injured animal may only be destroyed after any reasonable attempts have been made to request assistance from the agency responsible for the disposal of animals (Humane Society, Game Warden, etc.)

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PROCEDURES TO BE FOLLOWED UPON DISCHARGE OF A WEAPON:

Any discharge of a firearm, except at in-service training, at a licensed pistol range, or during competitive shooting events, will be immediately reported to the Central Police Desk. A NYCPD Firearm Discharge/Assault Report will be used at all Police Commands when members discharge their firearm or are fired upon while performing lawful duty.

If the member is unable to prepare the Firearm Discharge/Assault Report due to injury or death, the Tour Commander or designee will be responsible for the preparation of the report. New York commands will deliver the first two copies of the report to the local Precinct after review by the Commanding Officer and attach the third copy to the original CCR and forward to Police Headquarters.

New Jersey commands will file the first two (2) copies and attach the third copy to the original CCR and forward to Police Headquarters.

In New Jersey, County Prosecutors may require that additional County reports be prepared. Commands should be guided by County Procedures in addition to the reports as required above.

In all cases, a detailed written report will be submitted by the police officer who discharged the weapon for review by:

- Facility Commanding Officer
- Special Investigations Unit
- Superintendent of Police

The officer will remain at the scene until the arrival of the appropriate investigator, unless

- The officer is injured and requires medical treatment.
- The officer's presence at the scene would, as per the determination of the Incident Commander, result in the escalation of violence.

The officer is required to protect the firearm for examination, and will be required to surrender the firearm to the Tour Commander or the Tour Commander's designee or investigating unit. A replacement weapon is available for issue through the Central Police Desk 24 hours a day subject to supervisory approval

OFF DUTY INCIDENTS - Any officer involved in any off duty incident will:

- Notify the local police department and the Central Police Desk.

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- Cooperate with the local agency involved in the investigation.
- Follow applicable areas of this instruction as required, for an on duty incident.

RESPONSIBILITIES OF DESK PERSONNEL UPON NOTIFICATION THAT A FIREARM HAS BEEN DISCHARGED:

Upon notification that a firearm has been discharged, the responsibilities of the Desk Personnel include, but are not limited, to the following

- Notify the Tour Commander.
- Notify the Central Police Desk (CPD).
- At the direction of the Tour Commander, request the presence of the Special Investigations Unit through the CPD.
- At the direction of the Tour Commander, notify the local police department.
- Contact Emergency Medical Service (EMS) for medical aid, as needed.
- Maintain a chronological record of events.
- Secure tapes of command.

RESPONSIBILITIES OF THE TOUR COMMANDER:

Upon being notified that a member of the Port Authority Police force has discharged a weapon, the Tour Commander's responsibilities will include, but are not limited to, the following:

- The Tour Commander or designee will proceed immediately to the scene of the discharge for any on duty incident.
- Dispatch supervisory personnel to the scene for off duty incidents, if circumstance and distance permit. Response to off duty incidents will be coordinated through the CPD.
- Request emergency medical assistance, if applicable.
- Request the presence of the Special Investigations Unit through the Central Police Desk.
- Notify the local police department, if applicable.
- If available, assign field supervisors to:
Secure the immediate area and establish crime scene, if appropriate.

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- Assist the police officers involved.
- Retrieve and protect the firearm involved.
- Assign supervisory personnel to conduct preliminary interview.
- Assign police personnel to identify witnesses and record witnesses' statements.
- Provide all information to investigative personnel upon arrival.
- Assign police personnel to escort the injured officer and/or suspect to hospital, if applicable, and to further insure that any and all evidence, including clothing, is protected, including any such items of clothing or evidence removed by medical personnel at the scene or the hospital.
- Submit a written report to the Commanding Officer.
- Ensure NYPD Firearm Discharge/Assault Report is completed.
- Notify Absence Control Unit for purpose of scheduling the police officer whose weapon was discharged for medical services.
- Ensure the facility recording tape has been secured
- Contact Public Affairs to handle press inquiries.

NOTIFICATIONS:

In all cases in which a person is shot, seriously injured, or killed as a result of any firearm or other force used by a member of this department, the Tour Commander will ensure the notification of the following

- The Central Police Desk
- Special Investigations Unit
- Affected outside agencies.
- District Attorney's/Prosecutor's Office, if applicable.

RESPONSIBILITIES OF THE SPECIAL INVESTIGATIONS UNIT (SIU):

The assigned SIU personnel will conduct an investigation to determine if the discharge of the weapon was intentional or accidental, and if the discharge was in compliance with these instructions. SIU will then prepare and submit a written report of the findings to the Superintendent of Police.

Subject: Use of Deadly Force

P.O.I. 5-9

Issued September 21, 1992

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Revised: August, 1992

Effective: October 6, 1992

COMMANDING OFFICER:

- The Commanding Officer is responsible for the conduct and supervision of the Police Command activities, including criminal complaints, arrests, etc., related to the initial incident
- Provide investigators with all relevant information and reports available at the command.

The Commanding Officer may critique the incident with involved personnel and make recommendations to the Superintendent of Police in the following areas

- Training
- Tactical Operations
- Supervision
- Communications

MEDICAL APPOINTMENT SUBSEQUENT TO DISCHARGE OF FIREARM:

All members of the force who have discharged a weapon in the line of duty will be evaluated by the Office of Medical Services (OMS) as expeditiously as possible, but not later than 24 hours after the incident. OMS will determine if the officer is fit for duty, not fit for duty, or fit for duty with restrictions.

By order of:



Director, Public Safety Department
Superintendent of Police



POLICE OPERATIONS MANUAL

USE OF NON-DEADLY FORCE

PURPOSE:

To provide members of the force with guidelines on the use of force which is not likely to cause death or serious physical injury.

POLICY:

This department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this department that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer or another.

While reasonable force may be applied in situations, reasonable alternatives, such as persuasion, warning and advice, are to be attempted first.

DEFINITION

NON-DEADLY FORCE - Any use of force other than that which is considered deadly force (See P.O.I. 5-9). Non-deadly force is equivalent to less than lethal force.

PROCEDURE

USE OF FORCE CONTINUUM - The law enforcement officer is responsible to use only the minimum amount of force, which is necessary to bring a situation safely under control and/or effect an arrest. A suspect's verbal threat of violence by itself does not justify the use of force. Therefore, as the suspect's level of resistance or aggression escalates or de-escalates, the officer must respond with an appropriate level of force. The use of force continuum describes the several levels of force available to a police officer as follows

Formerly

Subject: Use of Non-Deadly Force

P.O.I. 5-10

Issued September 21, 1992

Page 2 of 4

Revised:

Effective: October 6, 1992

NON-DEADLY FORCE -

- Verbalization - Persuasion, warning, advice, command.
- Escort Holds - Physical control established to direct or control
- Compliance Holds - Intended to overcome resistance through firm grip or come along holds.
- Intermediate Force Intended to overcome or counter active resistance or force through the use of physical force, impact weapon, baton, billy, K-9 or restraining devices. The use of equipment not authorized or issued by this department, such as blackjacks, slap gloves, saps, etc., is prohibited.

DEADLY FORCE - The use of firearms, or any other force likely to cause death or serious physical injury (See P.O.I. 5-9). The firearm, a defensive weapon, is the ultimate use of force and will be used only after every other reasonable alternative has been exhausted or is found impractical.

This procedure provides guidance relating only to the use of non-deadly force.

PROCEDURE

USE OF NON-DEADLY FORCE

Sworn members of the force are justified in using non-deadly force when they reasonably believe force is necessary to:

- Enforce lawful orders.
- Control a violent or potentially violent suspect
- Protect themselves or others against the use of unlawful force.
- Control a resistant individual
- Prevent a person from committing suicide or causing serious bodily harm to themselves.
- Stop or prevent a crime involving loss of property.
- Stop or prevent a crime involving bodily harm or the threat of bodily harm.
- Effect an arrest for an offense or crime under the laws of the States of New York and New Jersey.

The use of any physical control method will be applied in accordance with the techniques taught by the Port Authority Police Academy. (See P.O.I. 5-9 and P.O.I. 4-8).

Formerly

Subject: Use of Non-Deadly Force

P.O.I. 5-10

Issued September 21, 1992

Page 3 of 4

Revised:

Effective: October 6, 1992

- Port Authority Police Officers are to carry and/or use only defensive instruments, which have been issued and/or approved by Police Headquarters.
- Police Headquarters has authorized the use of the following less than lethal instruments
 - Issued Baton
 - Issued Rubber Billy
 - Riot Baton - Only to be carried when specifically authorized for duty at a particular incident.
 - Police K-9 - Only to be used by a certified K-9 handler.
 - Issued PR24 Side-Handled Baton - Only to be carried by members of the force trained and certified in the use of the PR24 by the Port Authority Police Academy.

REPORTING THE USE OF FORCE

A member of this department using force, which results in an apparent or alleged injury or death, must file a written report.

When a member of this department exercises the use of force in the performance of his or her duty and that force results in apparent or alleged injury, the Tour Commander will ensure a detailed report is submitted to the Commanding Officer containing his/her evaluation whether or not the force used was justified. The report will also contain the following, but not be limited to:

- Reason force was exercised.
- Apparent/alleged injuries.
- Medical treatment provided by police or emergency medical service (EMS).
- Name, address, and phone number of independent witnesses.
- Notifications made, if applicable.
- Copy of EMS and/or hospital reports regarding the subject
- Injuries sustained by police officer(s) present at the scene.

- EMS, hospital treatment and Port Authority Employee Injury Report(s) documenting the officer(s) injury.
- All arrest and/or aided reports, if applicable.
- Photographs of all injuries to police, if applicable.

Formerly

Subject: Use of Non-Deadly Force

P.O.I. 5-10

Issued September 21, 1992

Page 4 of 4

Revised:

Effective: October 6, 1992

- Photographs of all injuries to subject(s), if applicable.
- Report(s) from supervisor(s) present or dispatched to the scene.
- Report(s) from other member(s) present or dispatched to the scene.

By order of:



Director, Public Safety Department
Superintendent of Police

Formerly



POLICE OPERATIONS MANUAL

OFF- DUTY CONDUCT: POWERS OF ARREST

PURPOSE:

The purpose of this policy is to provide guidelines to all police personnel regarding acceptable criteria for effecting an off-duty arrest.

POLICY:

Off-duty officers are often faced with situations involving criminal conduct that they are neither equipped nor prepared to handle in the same manner as if they were on-duty. This may lead to unnecessary injuries to off-duty officers, and confusion for those on-duty officers arriving at the scene trying to correctly assess the facts. In order to promote safety and the most efficient operations, it is the policy of this police department to determine and regulate those situations and locations within which a member of the force is permitted to make an arrest while off-duty. (Also see P.O.I. 1- 3 C, Police Powers).

DEFINITION

Personally involved: Where the off-duty officer, a family member, or a friend becomes engaged in a dispute or incident with the person to be arrested or any other person connected with the incident. This does not apply to situations where the police officer himself is a victim of crime.

PROCEDURES

- Liability protection: Police personnel of this department have liability protection for the on and off-duty performance of official duties.

This protection does not extend to willful acts to cause injury or damage, or to those actions that the police officer knew, or reasonably should have known, were in conflict with law, or the established policies or customs of this department.

Formerly

Subject - Off Duty Conduct: Powers of Arrest	P.O.I. 6-1
Issued November 1, 1994	Page 2 of 3
Revised:	Effective: November 14, 1994

- Permitted off-duty arrests: When off-duty and within the states of New York or New Jersey, police personnel may make an arrest only when:
 - The arresting officer is not personally involved in the incident underlying the arrest; and
 - There is an immediate need for the prevention of a crime or apprehension of a suspect; and
 - The crime would be charged as an offense requiring a full custodial arrest; and
 - The arresting officer is in possession of appropriate police identification.

- Off-duty responsibilities:
 - While off-duty, it is the responsibility of all police personnel to report any suspected or observed criminal activities to on-duty authorities.
 - Except as allowed by this policy, off-duty officers should not enforce summary offenses or minor violations such as harassment, disorderly conduct or other quality-of-life offenses. On-duty personnel shall be contacted to respond to the situation where an off-duty officer becomes aware of such violations.
 - Where an arrest is necessary, the off-duty arresting officer shall notify his/her Command and abide by all departmental policies and procedures.

- Prohibited off-duty arrests:

Police personnel of this Department may not make an arrest off-duty when:

 - The arresting officer is personally involved in the incident underlying the arrest; or
 - Engaged in off-duty employment of a non-police nature, and the officer's actions are only in furtherance of the interests of the private employer.

Subject - Off Duty Conduct: Powers of Arrest

P.O.I. 6-1

Issued November 1, 1994

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Revised:

Effective: November 14, 1994

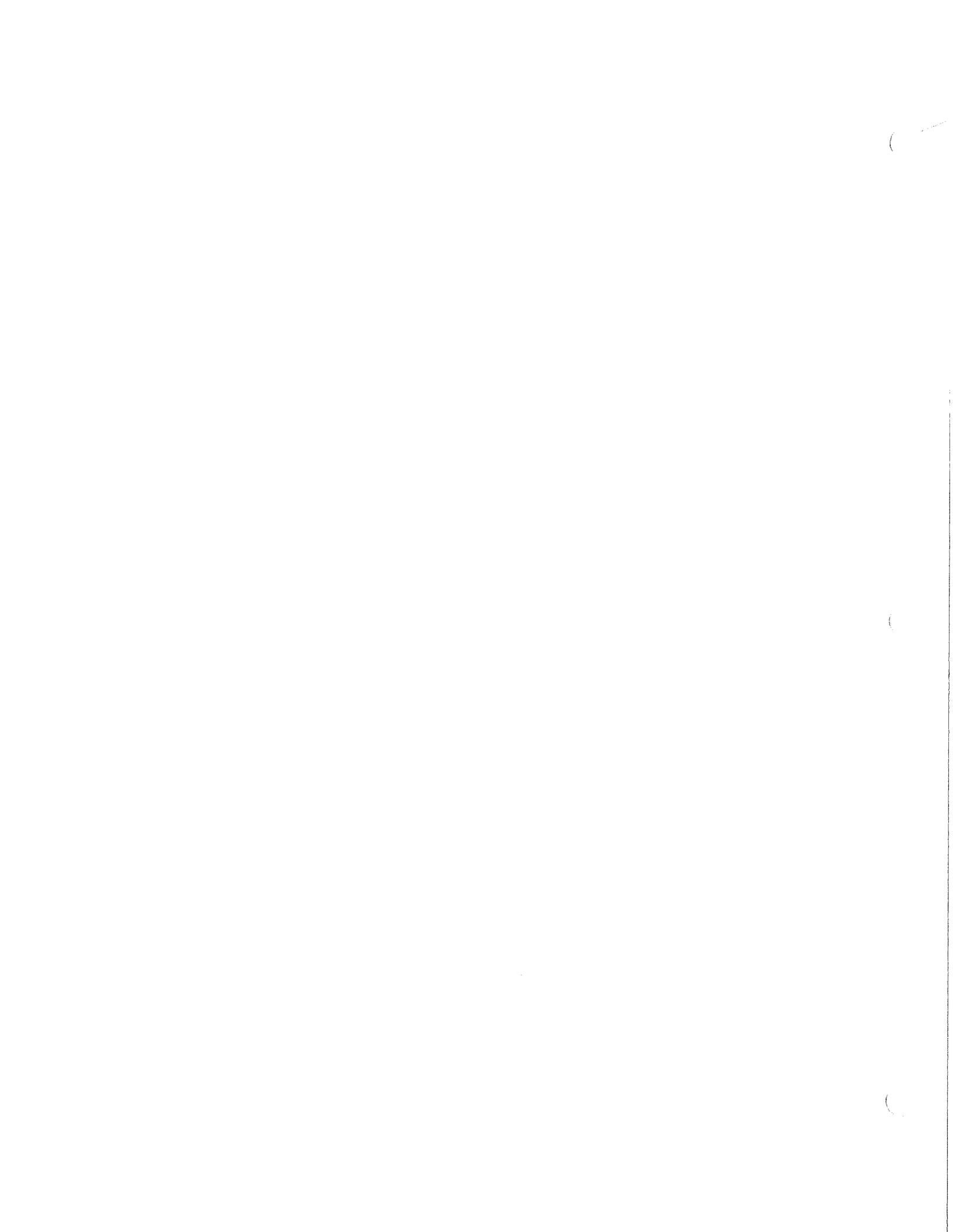
- The arrest is made solely as enforcement of a minor traffic regulation. Despite the fact that a police officer has police powers and responsibilities 24 hours a day throughout the jurisdiction, the off-duty officer should not enforce minor traffic regulations.

By order of:



Director, Public Safety Department
Superintendent of Police

Formerly





INTERIM ORDER

I. PURPOSE:

To ensure that all members of the force provide proper hand salute to supervisory officers.

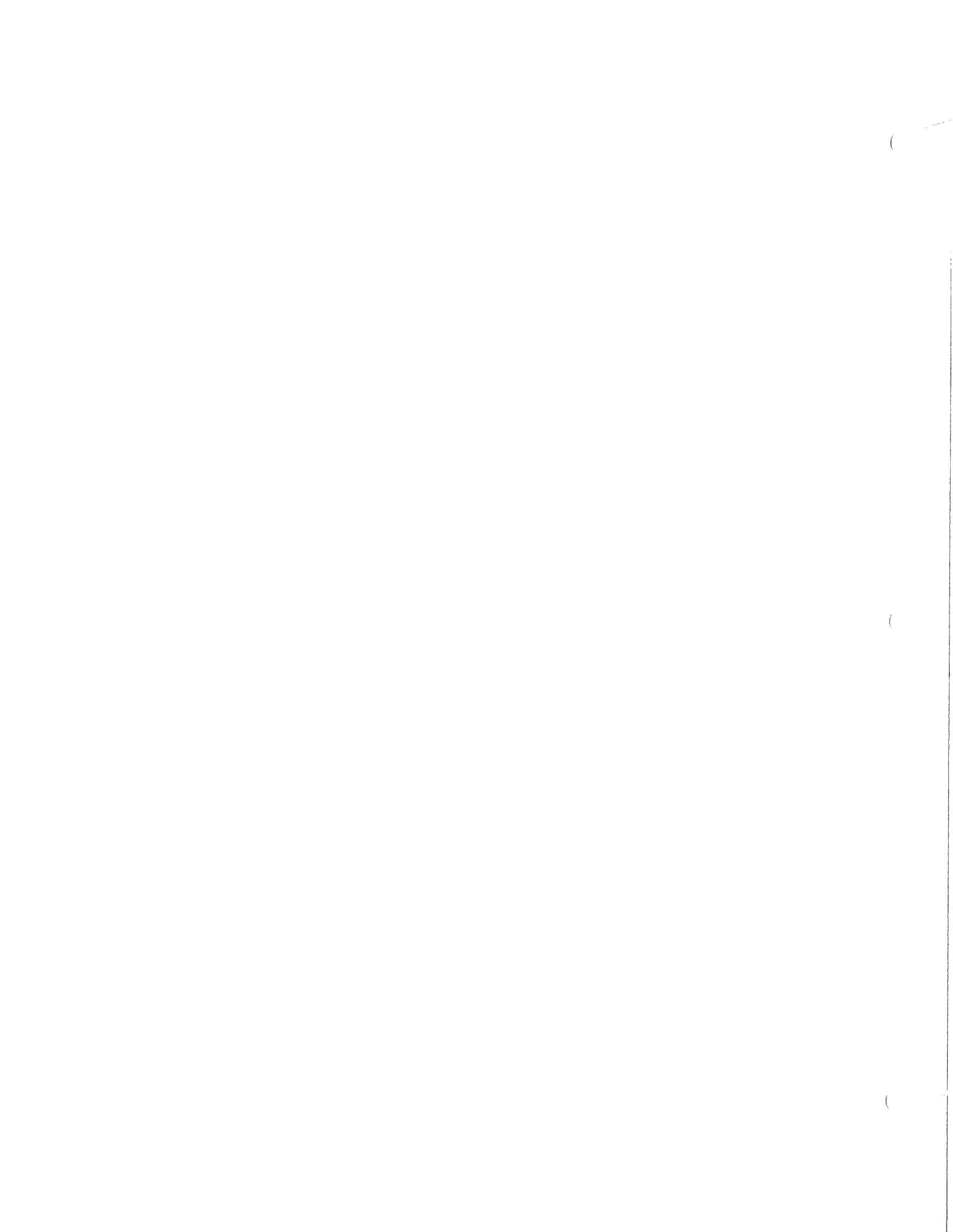
II. POLICY

1. Uniformed member of the service shall tender and return hand salute:
 - A. Director of Public Safety/Superintendent of Police
 - B. Supervisory Officer
2. Supervisory officers return salutes promptly.
3. Salute is not required at large assemblies except when addressed by or addressing supervisory officer. Salute not required if it interferes with police duty.
4. Remove hat and stand at attention in the office of Director of Public Safety/Superintendent of Police, or any member above rank of Lieutenant.
5. Order "Attention" when Director of Public Safety/Superintendent of Police or member above rank of Lieutenant enters room unless otherwise directed.

By Order of:

A handwritten signature in black ink, appearing to read "F. V. Morrone".

Fred V. Morrone
Director, Public Safety Department
Superintendent of Police





THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

C.A.L.E.A. Standard(s):	12.2.1b,c,d,e, i 12.2.2a,b,c	Date Issued:	6/3/11
Section:	100- General Regulations	Date Revised:	07/28/11
Issuing Authority:	Michael A. Fedorko, Superintendent	Procedure No:	100-01
Subject:	WRITTEN DIRECTIVE SYSTEM	Page(s):	1 of 22

I. INTRODUCTION

The Port Authority of New York and New Jersey Police Department (PAPD) utilizes a system of written instructions designated as the Port Authority Police Department "Patrol Guide." This Patrol Guide is designed to provide standing policies and procedures for guidance for **all members of the force in the performance of their duties.**

A complete, well-written directive system is an extremely important component of the modern law enforcement agency. Directives are communication tools that inform all members of the force of their responsibilities and behavior. Directives establish the lines of authority and accountability within the department, as well as the course of action the department undertakes to achieve stated goals and objectives. Directives explain department philosophy and define the individual's limits of discretion under defined circumstances. This system will utilize General Orders, Operations Orders, Personnel Orders, Command Orders, Training Opportunities and Interdepartmental Communications. These Directives will not change or modify any existing terms and conditions of employment without negotiations with the appropriate union(s).

II. DESCRIPTION

A. GENERAL ORDERS

1. General Orders (GO) are official directives from the Superintendent of Police to all members of the force, setting forth administrative and operational policies, procedures, and regulations of general applicability and long-term effect and usefulness. As such, they assume precedence over any similar instructions or notices issued at any other level of the Police Department.

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2. General Orders address the following subjects:
 - i. Overall structure and functions of The Port Authority of New York and New Jersey Police Department.
 - ii. Regulations, Policies, Standards, Administrative and Operational Procedures affecting all members of the force.

3. General Orders are issued at the direction of the Superintendent of Police or his/her designee. The Superintendent or the designee may revise or cancel General Orders. The Superintendent prior to issue or cancellation, will approve all new, revised or cancelled orders. (CALEA 12.2.1 b).

B. OPERATIONS ORDERS

1. Operations Orders (OPS) are orders that are issued to announce policies or procedures concerning specific facilities of The Port Authority of New York and New Jersey Police Department and/or specific circumstances that may apply to all members of the force or just affect a portion thereof.

2. Operations Orders will be issued at the direction of the Superintendent of Police or his/her designee. The Superintendent or the designee may revise or cancel Operations Orders. The Superintendent prior to issue or cancellation will approve all new, revised or cancelled orders. (CALEA 12.2.1 c)

C. PERSONNEL ORDERS

1. Personnel Orders (PO) are issued by the Superintendent of Police or his/her designee and advise all members of the force of changes in the status of personnel, such as transfers, promotions, etc. (CALEA 12.2.1 b)

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D. COMMAND ORDERS

1. Command Orders (CO) are issued by Zone Commanders and/or Commanding Officers to disseminate Command specific information relating to the administrative and logistical functions of their specific command(s) and its personnel.
2. Any Zone Commander may issue a Command Order to a specific command(s) within his/her zone. Commanding Officers may issue Command Orders for their Command or on behalf of another Commanding Officer (if providing coverage and that Commanding officer is unavailable).
3. Zone Commander(s) and/or Commanding Officer(s) shall follow the dissemination procedures listed in Appendix E. (CALEA 12.2.1 c)

E. TRAINING OPPORTUNITIES

1. Training Opportunities (TO) are issued to disseminate pertinent training information to personnel.
2. Training Opportunities include, but are not limited to: current training issues, current or anticipated schools, and specialized training available to personnel. Announcements of mandatory training or in-service training will be disseminated as Operations Orders.
3. The Police Academy Commanding Officer may issue Training Opportunities and Operations Orders pertaining to training.
4. The Police Academy Commanding Officer shall follow dissemination procedures outlined in Appendix E. (CALEA 12.2.1 c)

F. INTERDEPARTMENTAL COMMUNICATIONS

1. Interdepartmental Communications are considered emails, buckslips, handwrittens (PA2265), training memorandums and general Agency memorandums.

III. PDI's, POI's, and Interim Orders

Those PDI's and/or POI's that are incorporated into any existing Memorandum of Agreement shall remain in full force and effect. All other PDI's, POI's, and Interim Orders are rescinded upon the publication and distribution of new General Orders pertaining to that subject matter, unless to do so would constitute a violation of the Labor Relations Instructions.

IV. FORMAT (CALEA 12.2.1 d)

- A. In order to provide uniformity of style and presentation, the format of the General Order, Operations Order, Personnel Order, Command Order, or Training Opportunity is arranged so as to follow the sequence described below:
1. Heading - including a numerical identification of the instructions and date of issuance.
 2. Brief description of the title.
 3. Introduction - briefly describing the purpose and/or nature of the instruction.
 4. Policy statement - included wherever applicable.
 5. Copy Line- shall appear directly under Heading Box, prior to the Body of document.
 6. Body - describing in detail the operation, or applicability, of the policy, process or procedure.
 7. General Orders will be distinguishable by having the left shoulder PAPD patch affixed to left upper corner only. Additionally, General Orders will have the words "GENERAL ORDER" on the title page.
 8. Operations Orders will be distinguishable by having **two** PAPD shields affixed to the upper left and right corners. The traditional PAPD shield will be in the left corner and the commemorative "37" shield on the right upper corner. Additionally, Operations Orders will have the words "OPERATIONS ORDER" on the title page.
 9. Command Orders will be distinguishable by having the right shoulder PAPD shield affixed to the upper right corner. This shield will be the PAPD "37" commemorative shield only. The title page of the Command Orders will have the words "COMMAND ORDER."
 10. Personnel Orders will be distinguishable by having the traditional PAPD shield affixed in right upper corner. The word "Memorandum" will be above this shield. The upper left corner will have the words "THE PORT AUTHORITY OF NY & NJ" followed by the words "PERSONNEL ORDER" directly beneath.

11. Training Opportunities will be distinguishable by having The Port Authority of New York and New Jersey Police Academy patch in the left upper corner. The title page of the Training Opportunity will have the words "TRAINING OPPORTUNITY."
12. The font "Times New Roman" shall be used with a font size of 12 for the body. Section or paragraph headings may use a font size no greater than 16.
13. Appendices as required.

V. NUMERICAL IDENTIFICATION AND ORGANIZATION (CALEA 12.2.1 d)

A. General Orders are classified and coded by subject and are numbered in accordance with a system comprising the following elements:

1. Primary number - this number identifies the major sections of the Patrol Guide.
2. Secondary number - this number identifies the order in which each General Order appears in its section.

B. Operations Orders are classified and coded by subject and are given chronological numbers generating from Police Headquarters signifying the year of issuance, order type, followed by the number of the order. Order numbers will follow in a chronological fashion. Example: 2011-OPS-01. All Operations Orders will reflect date of issuance within heading of the document.

C. Personnel Orders are generated by Police Headquarters and are given chronological numbers that follow the sequence of year, order type and order number. All Personnel Orders will also reflect date of issuance within the heading of the document. Example: 2011-PO-01.

D. Command Orders are generated by specific police commands addressing the personnel of that Command. Orders will be classified and categorized by subject and date of issuance. A chronological numbering system will be utilized to track these orders. Orders shall reflect the year of issuance followed by the order type, command and order number. Example: 2011-CO-JFK-01.

E. Training Opportunities are generated by the Police Academy and are classified and coded by subject. They have a chronological tracking order as follows: year of issuance, type of order and order number. Example: 2011-TO-01.

VI. TABLE OF CONTENTS FOR GENERAL ORDERS

- A. The Table of Contents is a listing of all current General Orders grouped by subject matter, in the numerical sequence in which they appear in the Patrol Guide. Also listed is the date of issuance of each General Order or if revised, the date of the last revision.
- B. The Table of Contents also provides for a Change Notice Control -Sheet on which pertinent data concerning change notices is to be recorded. (See Appendix C, Exhibit I).
- C. The Planning and Research Unit is responsible for the publication of a corrected Table of Contents as needed.

VII. PROPER SAFEKEEPING AND STORAGE OF DEPARTMENT ORDERS

- A. All General Orders in effect, are maintained in proper numerical sequence in special ring binders supplied to all Commanding Officers. As new General Orders are issued, Commanding Officers are required to ensure the orders are inserted into the binder in proper order. All General Orders will also be distributed electronically and/or hardcopy to personnel. The Planning and Research Unit will also maintain a copy of all General Orders.
- B. All Operations Orders are maintained in proper sequence of chronological year and number in binders supplied to all Commanding Officers. As new Operations Orders are issued, Commanding Officers are required to ensure the orders are inserted into the binder in proper order. A table of contents shall be utilized to track subject matter and date of issuance. All Operations Orders will also be distributed electronically and/or hardcopy to personnel. The Planning and Research Unit will also maintain a copy of all Operations Orders.
- C. Personnel Orders are maintained in proper sequence of issuance by personnel at Police Headquarters.
- D. Training Opportunities are maintained in proper sequence by the Police Academy.
- E. Command Orders are maintained by each Police Command in proper numerical sequence. Commands are required to forward a copy of all Command Orders to the Planning and Research Unit.

VIII. ACKNOWLEDGMENT OF PATROL GUIDE

- A. Each member of the force and Public Safety Department personnel will be required to sign a receipt acknowledging that they have received a copy of the Patrol Guide and/or any subsequently issued General Orders or Operations Orders (Appendix C, A.3.i, ii, iii, iv). The signed receipt will be maintained in the member's personnel file. Receipts will be monitored by the member's Commanding Officer/Designee. (CALEA 12.2.2 c)
- B. The Patrol Guide is also available for review on the Port Authority internal computer network (E-Net). Members of the force who access E-Net during off hours will not be compensated.
- C. New or revised General Orders/Operations Orders, change notices, and revised editions of the Table of Contents and Index are distributed as described in Section IX of this General Order. (CALEA 12.2.2 a, b)

IX. RESPONSIBILITY

- A. The Planning and Research Unit is responsible for:
 - 1. Preparation of all General Orders (Appendix B).
 - 2. Reviewing all proposed General Orders/Operations Orders or proposed revisions for form and substance.
 - 3. Coordinating the clearance of all proposed General Orders/Operations Orders or proposed revisions and obtaining final approval from the Superintendent of Police to ensure they do not contradict with other existing General Orders or applicable law. (CALEA 12.2.1 i)
 - 4. Periodically conducting an overview of the General Orders in the Patrol Guide to discover obsolete General Orders that should be rescinded; out-of-date General Orders that should be revised or purged; gaps in the Patrol Guide requiring new General Orders, and initiating necessary action based on this review. (CALEA 12.2.1 e)
 - 5. Ensuring that copies of new or revised General Orders/Operations Orders are reproduced and distributed to all members of the force. (Appendix B, E)
 - 6. Maintaining the General Orders/Operations Orders system on an overall basis to ensure it is properly indexed. (CALEA 12.2.1 e)
 - 7. Ensuring copies of all other orders are maintained and reviewed for accuracy and efficient tracking.

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- B. All Commands will be responsible for reviewing General Orders/Operations Orders regarding their sphere of particular interest. If necessary, The Planning and Research Unit will initiate the appropriate action to amend the Order.

X. DISTRIBUTION

- A. Copies of all General Orders/Operations Orders will be distributed to all members of the force. Each Command/Facility will be issued a hard copy and it will be the Commanding Officer's responsibility to maintain the Command Patrol Guide and Operations Orders Guide. (CALEA 12.2.2 a).
- B. All other department orders will be disseminated to the appropriate affected personnel.

XI. GENERAL ORDERS AND OPERATIONS ORDERS PROCEDURES

- A. The procedure to be used when preparing a General Order or Operations Order is outlined in Appendix A, titled, PROCEDURES FOR PROPOSING NEW ORDERS OR REVISIONS TO EXISTING GENERAL ORDERS AND OPERATIONS ORDERS.
- B. The clearance process for General Orders and Operations Orders is addressed in Appendix B, GENERAL ORDER AND OPERATIONS ORDER CLEARANCE PROCESS.
- C. Appendix C refers to Change Notices and its uses.
- D. Appendix D refers to the procedure for purging obsolete P.D.I.'s, P.O.I.'s, and Interim Orders.
- E. Appendix E refers to the Chain of Command for reviewing and/or approving Training Opportunities and Command Orders.
- F. Appendix F outlines the usual designation for designee under normal circumstances.

- G. Appendix G outlines the template to be utilized for General Orders.
- H. Appendix H outlines the format to be utilized for Operations Orders.
- I. Appendix I outlines the format to be utilized for Personnel Orders.
- J. Appendix J outlines the format to be utilized for Training Opportunities.
- K. Appendix K outlines the template to be utilized for Command Orders.

APPENDIX A

PROCEDURES FOR PROPOSING NEW ORDERS OR REVISIONS TO EXISTING GENERAL ORDERS AND OPERATIONS ORDERS (CALEA 12.2.1 i)

- A. Any member of the force may propose a revision either to an existing General Order or Operations Order or the subject for a new General Order or Operations Order. The following procedures will be followed when proposing a revision to/or proposing a new General Order or Operations Order:
1. The proposal will be reduced to writing, with a draft copy of the proposed General Order or Operations Order attached, and submitted to the member's immediate supervisor for review.
 2. The supervisor will forward the proposal to the Planning and Research Unit for review. The Planning and Research Unit will ensure that the information contained in the proposal:
 - i. is factual and the change is warranted;
 - ii. does not already appear elsewhere in the General Orders or Operational Orders; and,
 - iii. does not conflict with information in a memorandum of agreement or existing General Orders or Operations Orders.
 3. After review, if The Planning and Research Unit agrees that the proposal should be developed into a new or revised General Order or Operations Order he/she will forward it with comments to the appropriate Chief(s) for review.
 4. The Chief(s) will review the proposal. If it is recommended that a proposal is valid and should be pursued, it will be sent back to The Planning and Research Unit where it will be researched and a preliminary General Order or Operations Order will be prepared for the Superintendent's review.

APPENDIX B

GENERAL ORDER AND OPERATIONS ORDER CLEARANCE PROCESS

- A. The Planning and Research Unit will prepare the first draft of the General Order or Operations Order and forward the draft to the Senior Command staff at Headquarters for review and comments.

- B. Upon receipt of the comments from Headquarters Senior Command staff, a final draft will be developed and forwarded to the following departments and units by the Planning and Research unit for review:
 1. Commanding Officers.
 2. Law Department.
 3. Public Safety Labor Relations Unit.

- C. Review by Senior Command Staff and Facility Commanding Officers will be limited as described in the transmittal memorandum. Comments must be forwarded to the Planning and Research Lieutenant. Failure to respond within the prescribed time will denote approval of the draft General Order or Operations Order.

- D. Upon receipt of comments from all interested parties, a final General Order or Operations Order will be written and forwarded to the Superintendent of Police for final approval.

- E. Upon approval and signature of the Superintendent of Police, the General Order or Operations Order will be reproduced and distributed as described in Section IX and X.

APPENDIX C

GENERAL ORDER OR OPERATIONS ORDER CHANGE NOTICE

- A. Minor revisions to a General Order or Operations Order, such as simple corrections, deletions, or additions do not justify the issuance of a completely revised General Order or Operations Order. Minor revisions are brought to the attention of Patrol Guide holders by the issuance of "Change Notices" by The Planning and Research Unit. This type of change can include changes such as; telephone numbers and addresses.
1. Change notices list a specific change or changes to be made in ink in each Patrol Guide.
 2. Change Notices are numbered ensuring that all Patrol Guide holders have received all such notices.
 3. Upon receipt of a Change Notice, the Patrol Guide holder:
 - i. makes the necessary change or changes;
 - ii. enters the number of the Change Notice in the margin adjacent to the change;
 - iii. enters on the Change Notice Control Sheet (Exhibit I) provided with the Table of Contents, the number of the Change Notice, the date, the General Order or Operations Order, the paragraph number(s) amended, and his initials to indicate that the change has been made; and,
 - iv. lists the change notice number in the Table of Contents next to the appropriate General Order or Operations Order.

APPENDIX D

OBSOLETE P.D.I.'s, P.O.I.'s, and Interim Orders

1. Obsolete P.D.I.'s, P.O.I.'s, and Interim Orders are brought to the attention of Patrol Guide holders through the Change Notice system described in Appendix C.
2. In addition to removing the affected P.D.I., P.O.I., or Interim Order from the Patrol Guide, the Patrol Guide holder should line out the appropriate title in the Table of Contents and enter the Change Notice number in the margin.

APPENDIX E

Review/Approval Process for Issuance of Command Orders and Training Opportunities

1. When a Commanding Officer drafts a Command Order, they must notify their Zone Commander, by providing a copy to him/her prior to issuance.
2. The Commanding Officer/Zone Commander must also provide a copy of Command Order to the Planning and Research Unit.
4. The Zone Commander will review the Command Order.
5. After review, the Zone Commander may approve, remand or forward the order to his/her superiors.
 - i. If the Zone Commander approves the Order, the Commanding Officer is authorized to distribute the order to his/her personnel.
 - ii. If the order is remanded, the Commanding Officer shall make the necessary changes and re-submit the order to the Zone Commander.
 - iii. If the Zone Commander requests Chief(s) review, he/she will notify the Commanding Officer that the appropriate Chief must review the Command Order prior to distribution.
6. It is the Zone Commander's discretion whether to authorize said order or to forward order for Chief(s) review.
7. If a Command Order is forwarded for Chief review, the Commanding Officer is prohibited from disseminating the order, until notification is made that the Chief has authorized distribution.
8. The procedure outlined above will also apply to Training Opportunities.

APPENDIX F

DESIGNEE ASSIGNMENTS PERTAINING TO SENIOR/EXECUTIVE STAFF

- A. When the Superintendent of Police is unavailable to approve General Orders or Operations Orders, the designee who is authorized to sign in his/her absence shall be the Deputy Superintendent of Police or the Assistant Director of Administration and Finance; unless the Superintendent states otherwise.
- B. In certain instances, Chiefs, Zone Commanders and Commanding Officers will have limited authority to approve and issue Operations Orders as authorized by the Superintendent of Police.
- C. The Commanding Officer of the Police Academy has authority to issue Operations Orders pertaining to training.
- D. Zone Commanders and Commanding Officers are authorized to disseminate Command Orders, so long as the review process in Appendix E is adhered to.

APPENDIX G

GENERAL ORDER TEMPLATE

	THE PORT AUTHORITY OF NEW YORK & NEW JERSEY	
GENERAL ORDER		
C.A.L.E.A. Standard(s):		Date Issued:
Section:		Date Revised:
Issuing Authority:	Michael A. Fedorko, Superintendent	Procedure No:
		Page(s):

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APPENDIX H

OPERATIONS ORDER TEMPLATE



THE PORT AUTHORITY OF NEW YORK & NEW JERSEY



OPERATIONS ORDER

Command(s)		Date Issued:	
Section:		Date Revised:	
Issuing Authority:		Order No:	
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APPENDIX I

PERSONNEL ORDER TEMPLATE

<u>THE PORT AUTHORITY OF NY & NJ</u> PERSONNEL ORDER		Memorandum
		
Issuing Authority: Michael A. Fedorko, Superintendent	Date Issued:	
Order No:	Date Revised:	
Subject:	Pages(s):	
Copy To:		



APPENDIX K

COMMAND ORDER TEMPLATE

THE PORT AUTHORITY OF NEW YORK & NEW JERSEY							
COMMAND ORDER							
Command(s)				Date Issued:			
Issuing Authority:				Date Revised:			
Order No:				Page(s):			
[Copy to:]							

By Order of:



Michael A. Fedorko

Superintendent of Police

Director, Public Safety Department

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THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

Replaces: P.D.I. 9-1	Date Issued: 06/03/13
Section: 100- General Regulations	Date Revised:
Issuing Authority: Michael A. Fedorko	Procedure No: 100-02
Subject: RANGE RULES AND REGULATIONS	Page(s): 1 of 3

INTRODUCTION

This instruction outlines the rules and regulations pertaining to the firearms range and in addition, outlines the duties and responsibilities of the Range Officer.

PURPOSE

To establish a procedure that will assure the lawful, safe and efficient operation of the firearms range.

DUTIES

The Range Officer will report to and receive orders and instructions from the Range Master and will enforce all rules and regulations, as outlined in this instruction, pertaining to the firearms range and adjacent areas.

RULES OF THE RANGE

- Authorized members of the Port Authority Police Force will be permitted to use the firearms range.
- Members of a bona fide law enforcement agency may be permitted to use the range only with the approval of the Superintendent of Police.
- All persons in attendance at the range will enter signatures in the attendance log.
- Dry firing is permitted on the firing line only.
- Weapons will be holstered at all times except when ordered drawn by the Range Officer.
- Only the use of authorized ammunition is permitted and the firing of reloads is prohibited.
- All members of the force are required to qualify with their authorized 9mm, and Winchester 147-grain RA9T service ammunition.

- Smoking is prohibited in the Firearms Range.
- Safety rules concerning the use and handling of firearms will be observed at all times.

RESPONSIBILITIES - RANGE OFFICER

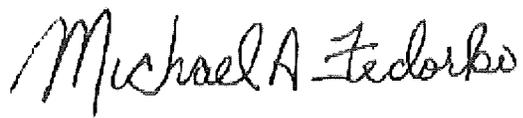
- Provide for the disbursement and control of the exchange of (46) forty-six rounds of fresh ammunition for the previous years issue with each member of the force at qualification time. Only authorized service ammunition will be accepted for this exchange.
- Conduct daily inspection and report all defects in the physical structure of the range and adjacent areas.
- Sweep floors forward of the firing line at the end of every tour.
- Control and be responsible for the security of all firearms, ammunition, targets and equipment placed in his/her custody.
- Inspect the service weapons, holsters and magazine pouches of all members of the force prior to entering the firing line whether for qualification or practice.
- Inspect and approve for use as off-duty weapons as may be authorized for such use in accordance with General Order #500-05 (Personal Firearms Registration).
- Control the order in which officers are assigned to the firing line. Individuals without such assignment will not be permitted to loiter in the firearms range.
- Maintain adequate supplies of gun cleaning equipment at the range for requisition by facilities.
- Conduct annual inspection/inventory of facility weapons.
- Maintain and repair weapons at all facilities.
- Make normal repairs and adjustments to defective service firearms.

GENERAL

The Range Officer will be responsible for the enforcement of all rules, regulations, instructions and orders pertaining to the firearms range and its operation.

Questions, which may arise in the areas of scoring or procedures, will be reported in writing to the Range Master.

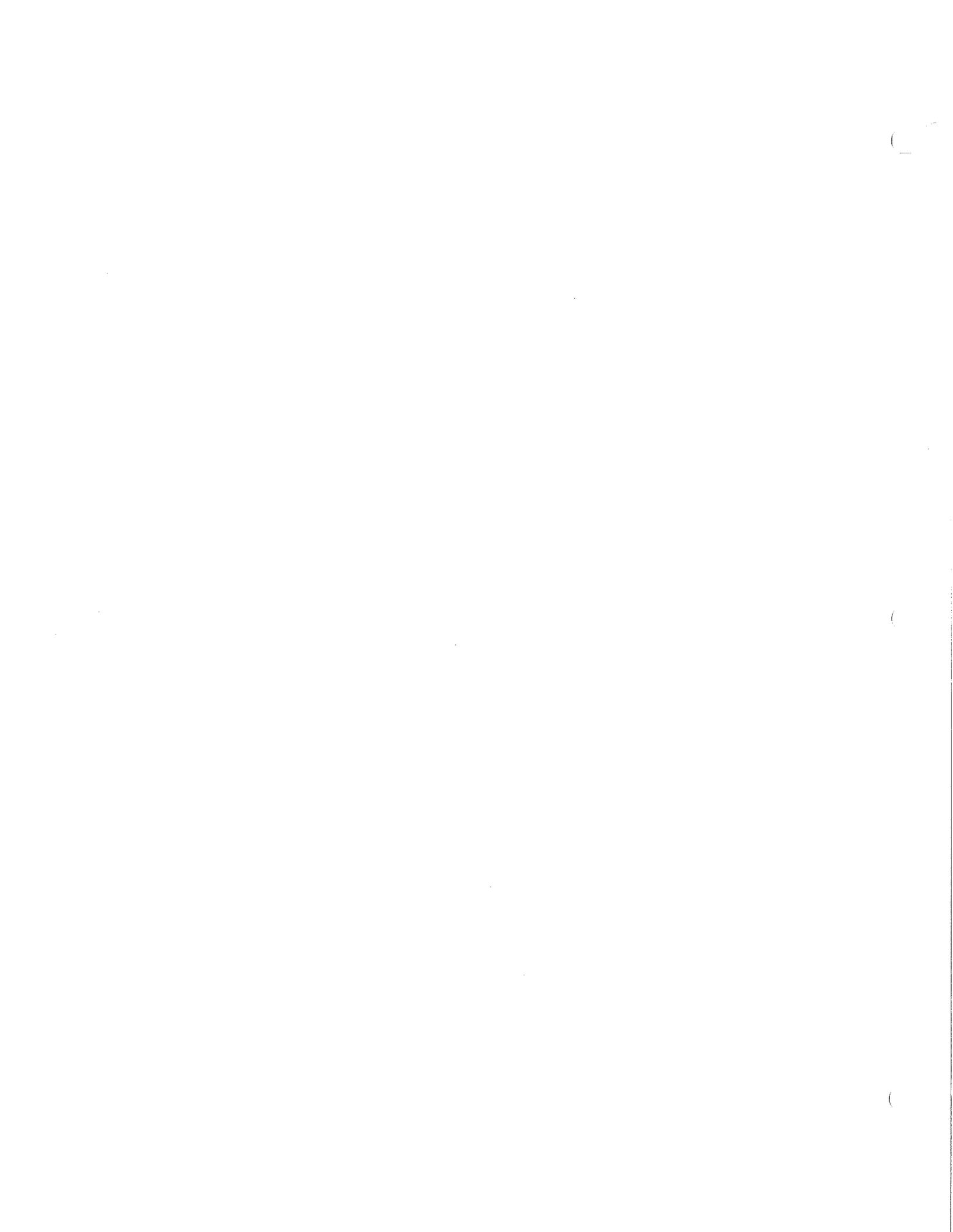
Acts or omissions by persons in attendance at the range, which are detrimental to safety or good order, will be reported in writing to the Commanding Officer, Police Academy.

A handwritten signature in black ink that reads "Michael A. Fedorko". The signature is written in a cursive style with a large initial 'M'.

Michael A. Fedorko
Superintendent of Police
Director, Public Safety Department



POLICE PATROL GUIDE
DISCIPLINARY MATTERS



I. INTRODUCTION

This instruction is published consistent with applicable Port Authority instructions. It establishes, within the Police Division, suitable procedures for the control and recording of discipline, and for the investigation and processing of complaints of violations of the published rules and regulations governing the actions of all members of the Port Authority Police Force.

II. DEFINITIONS

For the purpose of this instruction, disciplinary action will be divided into three classes:

A. Infraction

An infraction is a violation of published rules and regulations, the penalty for which is determined and imposed by the Facility Commanding Officer, such as local admonishment and informal discipline.

B. Minor Violations

Minor violations are violations of published rules and regulations, the penalty for which may be an official reprimand or forfeiture of time off up to and including three (3) days.

C. Major Violations

Major violations are violations of published rules and regulations, the penalty for which may be dismissal; forfeiture of time off of more than three (3) days; reassignment to a position having markedly different duties; reclassification to a position having a change in title without having a change in salary.

III. PROCEDURE

A. Infractions

In cases of infractions of published rules and regulations, the superior making the complaint completes the Incident Report (Form 1985) in duplicate.

The original and duplicate are forwarded to the Facility Police Commanding Officer, who investigates the report and indicates on the original and duplicate what action was taken locally. Both forms are then signed by the subject officer to acknowledge the validity of the report, and by the Police Commanding Officer who submits them to the Facility Manager. The Facility Manager initials both copies of the form in the lower left-hand corner to indicate this knowledge that the report has been prepared and returns both copies to the Police Commanding Officer for forwarding to the Superintendent of Police. The Superintendent of Police, reviews and initials both copies, files the original at his office and returns the duplicate to the subject's unit for inclusion in the local file.

B. Major, Minor Violations and Repeated Infractions

1. In the case of major or minor violations, or repeated infractions (three in any twelve month period), the Facility Commanding Officer:
 - a. Conducts an investigation to determine the facts of the case.
 - b. Consults with the Facility Manager.
 - c. Prepares a memorandum of complaint with recommendation as to penalty, providing a space for the concurrence or nonoccurrence of the Facility Manager. The preparation and handling of the memorandum of complaint will be confidential. The accused will not be advised of the recommendations. The distribution of the memorandum of complaint will be limited to the Facility Police Commanding Officer, Facility Manager, and the Superintendent of Police.
 - d. Prepares a Notice to Employee of Pending Charges, Form 490, in triplicate, affixing his signature in two places as Unit Head on the original and duplicate. The third copy is signed by the Facility Police Commanding Officer immediately below the notice section of the form, and presented to the subject. The original and duplicate are forwarded together with the memorandum of complaint and any supporting memoranda to the Superintendent of Police.
2. If a member of the Central Police Pool should commit a violation of rules in connection with his assigned duties at a facility, the Commanding Officer at that facility will initiate the appropriate disciplinary action and will act as complainant at the Board of Inquiry and Recommendation. In such a case the Commanding Officer of the Pool will be copied on the memoranda supporting the complaint. If a member of the Central Police Pool commits a violation, which is not related to any particular facility, the complainant in any resultant disciplinary action will be the Commanding Officer of the Central Police Pool.

C. Waiver to Rights to have Charges Filed and to have a Trial.

1. A member of the force may waive his rights to have charges filed and may waive his rights to a trial, and may do so either before or aft the trial has commenced.
2. Such waivers will be in writing using a PA Form 490 (Notice to employee of pending charges).
3. A member of the force may have counsel present at the time of signing of the waiver.
4. At the time that the appointment is made between the member of the force and the Superintendent of Police, the member charged will be advised of his right to have counsel present during the signing of the waiver. The Division Staff member setting up the appointment will give

this notification.

5. The execution of a waiver on PA Form 490 has no pertinence to the penalty, which can be assessed in accordance with P.A.I. 20-1.10 dated April 24, 1969 titled "Disciplinary Proceeding".
6. A member of the force may not waive a hearing before the Police Division Board of Inquiry and Recommendation without the express approval of the Superintendent of Police.

D. Board of Inquiry and Recommendation.

On receipt of the memorandum of complaint, the Superintendent of Police reviews it and if in his opinion it warrants formal action, he directs a Board of Inquiry and Recommendation to convene to hear the case. The Board is composed of:

1. At least two members of the staff of the Superintendent of Police, one not below the rank of Captain, the second not below the rank of Sergeant.
2. A Police Commanding Officer, not the complainant, preferably of the same Line Department as the complainant.
3. Any other members that the Superintendent of Police may designate.

E. Temporary and Probationary Employees

When a Police Commanding Officer files an Incident Report or Memorandum of Complaint against a probationary or temporary employee, the Superintendent of Police may convene the Board of Inquiry and Recommendation to investigate the incident.

F. Convening the Board of Inquiry and Recommendation

The Superintendent of Police acts as Chairman of the Board and decides when and where the hearing will be held.

The Board will be convened as soon as practical after the receipt of the memorandum of complaint in the office of the Superintendent of Police. Adequate notice of the hearing will be given to the complainant and the accused including the specific time and place of the hearing. The hearing will be conducted in an informal manner; no members of the force will be required to wear a uniform.

1. When the hearing convenes, the complainant is required to present his case first, and to present to the Superintendent of Police for his reference:
 - a. The local personal file of the accused, and
 - b. Any other historical or pertinent information available.

G. Representation

The accused may be accompanied and assisted-by a member of the Police Force of his choosing up to and including the rank of Lieutenant, except a Facility Police Commanding Officer. A superior officer assigned to the facility whose Commanding Officer has originated a memorandum of complaint may not act as representative of the subject officer at the hearing of that complaint. If the accused does not request representation or is unable to obtain representation, the Superintendent of Police may appoint any member of the Police Force, up to and including the rank of Lieutenant, but not a Facility Police Commanding Officer, to assist and advise the accused.

H. Witnesses - Testimony

The Superintendent of Police may summon such witnesses, as he may deem necessary to determine the facts of the case. The Superintendent of Police will summon such witnesses as are necessary on behalf of the complainant. The complainant and the accused may question each other freely on the pertinent facts of the case.

I. Recommendations of the Board

1. At the conclusion of the hearing, the Superintendent of Police, the complainant, and the accused withdraw, and in closed session the Board deliberates the facts presented. If during the Board's deliberation further testimony is desired of any person, the Board may reopen the hearing to obtain whatever testimony is deemed necessary. Its conclusion reached, the Board must recommend to the Superintendent of Police on the following:
 - a. That there has been no cause for action and that the memorandum of complaint should be withdrawn.
 - b. That cause for action is present but that such action should be in the form of local discipline and that an Incident Report be prepared and processed according to paragraph III. A. Of this instruction.
 - c. That the complaint is valid and of serious-enough nature to warrant a Departmental or Port Authority Trial but, that a waiver of trial and specific penalty be offered the accused in accordance with P.A.I. 20-1.10.

J. Penalties

1. Authority of the Superintendent of Police

The Superintendent of Police may accept or reject the re-commendations presented to him by the Board of Inquiry and Recommendation.

- a. In the event recommendation (a) is accepted, no further action will be taken by the Superintendent of Police on his own initiative.

- b. If recommendation (b) is accepted, the Superintendent of Police will prescribe the terms of the Incident Report.
- c. If recommendation (c) is accepted, the Superintendent of Police may prescribe a greater or lesser penalty. The accused is informed of the findings, proposed penalty, and is offered a waiver.
- d. If either recommendation (b) or (c) is offered the accused by the Superintendent of Police and refused by the accused, the Superintendent of Police will have charges and specifications prepared which the complainant will sign. The charges and specifications will then be processed in accordance with applicable instructions.

IV. SUSPENSION

A. Responsibility

In the event a member of the force conducts himself in a manner as to render himself unfit for the responsibility of a peace officer, or conducts himself in a manner which is grossly prejudicial to the best interests of the Port Authority, he may be suspended by the Superintendent of Police, or the Assistant Superintendent, who must immediately report his action to the Superintendent of Police.

B. Formal Action Required

In a suspension by the Superintendent of Police, or Assistant Superintendent of Police, the subject's Police Commanding Officer will immediately prepare a memorandum of complaint on the incident.

C. Reinstatement

Only the Superintendent of Police can reinstate an officer, once suspended.

D. Continuation

A suspension may not be continued for a period of more than two weeks without the approval of the Personnel Director.

V. GENERAL

A. Purpose of Board of Inquiry and Recommendation

The Board of Inquiry and Recommendation is designed for the primary purpose of providing adequate investigation into memoranda of complaint so that equitable treatment may be attained for Police Officers of all grades, who, through acts or omissions on their part, may be subjected to the filing of formal charges. The Board was established within the framework of all existing instructions that have to do with disciplinary problems and is not in conflict with any of them in letter or spirit.

The very name of the Board, Board of Inquiry and Recommendation, connotes its two basic functions: first, the full inquiry into all facts of the instant case; second,

the recommendation to the Superintendent of Police on proper action based on the results of the inquiry. The Board should not be construed in any sense to have the status of a trial board but should be looked upon in its true light, as one of investigation and recommendation. Cases are presented to the Board without presentation of formal charges and without any appearance or fact of prosecution. Thus, the officer is not before the Board as a result of filing of formal charges but because he has committed an act or omission which his field Commanding Officer believes to be of a sufficiently serious nature to warrant a full inquiry.

B. Conduct of Board

The conduct of the Board is entirely informal as is evidenced by the fact that the proceedings are not transcribed nor is the defending officer required to make a statement or answer any questions. However, if the subject officer decides neither to make a statement nor to answer questions, the inquiry will proceed because it is most important that all of the facts possible be elicited regarding the case before the Board. At the completion of the inquiry phase of the Board's operation, the Board of Inquiry is adjourned and all persons present except the Board itself are excused and the Board then becomes a Board of Recommendation. Following thorough deliberation of the information elicited from those persons who have appeared before it, it is required to determine one thing - whether or not there is in fact a basis for a formal charge. If the Board finds that there is basis for charge, it may at that time recall the Commanding Officer, subject officer, and the Superintendent of Police, and inquire of the Commanding Officer on the man's personal history. It may also at that time accept recommendations of the Commanding Officer and review of the subject officer's personal file.

C. Decisions of the Board

If the decision of the Board is not unanimous, recommendations from the minority and majority groups may be made. In such a case, the Superintendent of Police must make resolution of these recommendations. A finding of a basis for charge must result in a specific recommendation for penalty and the offer of a waiver of trial. The Superintendent or his designated subordinate will then discuss the recommended penalty with the subject officer and suggest to him the alternate courses that he may accept.

D. Procedural Questions

Whenever a serious procedural question is involved which must be resolved by the Board, all persons except the Board itself, the Chairman, and his technical aide, will withdraw from the room while the question is resolved. To assure the subject officer that the case and its merits will not be discussed, transcriptions will be taken of this discussion

E. Board May Inquire beyond Question involved in Instant Case

The Board is instructed to inquire, whenever it feels necessary, beyond the question involved in the instant case. Thus, if there is information present which indicates that command or supervision is at fault, or that policies or procedures are inadequate, the Board may at this time extend the area of its inquiry or may

agree to convene following the termination of the instant case to inquire into the areas under discussion. All questions concerning the propriety of a particular phase of the investigation will be referred to the Chairman of the Board for decision.



RULES GOVERNING CONDUCT OF DISCIPLINARY INVESTIGATIONS

Rule 1. Information supplied Employee under Investigation

The employee shall be informed of the rank and name of the officer in charge of the investigation as well as the name of the interrogating officer and all persons present during the interrogation.

The employee shall be informed of the nature of the accusation at the beginning of the interrogation. The name of the complainant will be made known to the employee at the time charges are drawn against the employee.

A non-criminal disciplinary investigation of a member of the force must be placed in the charge of a person of a higher rank, who must actively participate in such investigation.

If in the course of an interview between a supervisor and a member of the force it appears that the matter under discussion may result in disciplinary action against the Police Officer, he shall have the right to have his Association representative present before the interview proceeds.

Rule 2. Promises of preference privilege or immunity or undue suffering prohibited.

No person participating in any investigation of alleged misconduct by a Port Authority employee shall make any unauthorized promise of preference, privilege, or immunity, or employ any means whatever which inflict or tend to inflict undue suffering, mental or physical, upon any employee in order to induce, intimidate or compel him to furnish any statement admitting such misconduct or providing any information with respect thereto. Without limiting the generality of the foregoing, the following shall be deemed to be prohibited hereunder:

Continuous examination or questioning for such length of time as to create excessive fatigue in the person being examined, or

Unnecessarily conducting questioning of employees outside of working hours or away from their facilities, or

Summoning or questioning employees under such circumstances or in such a manner as to occasion undue embarrassment to them or their families, or

Deprivation of food or drink or denial or other physical necessities or comforts for excessive periods, or

Brandishing of any club, gun or other weapon or displays or simulations of violence, threats and abusive foul or profane language.

Rule 3. Required cooperation by employees

Before any employee may be questioned in connection with an investigation, the employee will be apprised of Rule 3, Chapter 9 of: the Rules and Regulations which states:

"All employees must cooperate in authorized investigations of any act, omission or occurrence in or upon Port Authority property, (including but not limited to misconduct, accidents, crimes and the like), provided, however that this rule shall not require any employee to give evidence against himself in connection with the investigation of an alleged act of misconduct on his part."

He shall also be cautioned that disciplinary proceedings may be commenced against him and that anything he says may be used in evidence in such proceedings.

Rule 4. Warnings required in cases of Criminal Investigation or Criminal charges against employee

If an employee is under arrest, or is subject of a criminal investigation, or there is a substantial likelihood that criminal charges may result from the investigation he shall be warned of his rights as follows:

"I wish to advise you that you are being questioned as part of an official investigation by the Police Division. You will be asked questions specifically directed and narrowly related to the performance of your official duties. You are entitled to all the rights and privileges guaranteed by the laws of the State of New York or New Jersey, the constitutions of these states and the Constitution of the United States, including the right not to be compelled to incriminate yourself and the right to have legal counsel present at each and every stage of this investigation.

I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties, you will be subject to Port Authority charges, which could result in your dismissal from the Port Authority. If you do answer, it is our understanding that neither your statements nor any information or evidence, which is gained by reason of such statements, can be received in evidence against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent Port Authority Charges."

Rule 5. Permission to consult relatives or friends; when granted

In addition to the foregoing, if they so request and if the interests of the Port Authority shall not be jeopardized thereby, employees who are being questioned with respect to alleged misconduct by them, shall be permitted to consult relatives or friends as soon as possible and under such circumstances as will not prevent or make impractical further investigation of such alleged misconduct.

Rule 6. Promptness of investigation

Every investigation of alleged employee misconduct shall be commenced and completed as promptly as possible under all the circumstances.

Rule 7. Records of questioning

Whenever any employee is questioned with respect to any allegations of misconduct, there shall be kept by the unit conducting the questioning a record setting forth:

The Place of Questioning

The time when the employee entered the place of questioning

The employee's assignment and his current hours of duty

The time when the questioning of each individual was commenced

The names of all persons participating in the questioning

The duration of any interruptions in or intervals between periods of questioning

Any transfer of the employee to any other place during questioning

The time when the questioning was terminated

The warnings required under Rule 4 in criminal cases and the appraisal of Rule 3 on cooperation

Such records shall be kept in the office of the Department head of the unit conducting the investigation and marked "Confidential."

Rule 8. Requirements for submission to pathometer or polygraph examination

No employee shall be required, ordered, or requested to submit to pathometer, polygraph or other lie detector tests.

Rule 9. Requirements for a search

No search of an employee's person, property or personal papers or effects may be conducted without his consent: Except that, if authorized by the Superintendent of Police, such search may be held in accordance with law.

Rule 10. Interception of telephone communications

No person, without the consent of the employee or the employees participating therein or without the authorization of the Superintendent of Police, shall by any means of an instrument or otherwise, overhear or record any telephone communication between employees, or between an employee and a third party.

When such consent or authorization is obtained, a telephonic communication may be intercepted, overheard or recorded only in accordance with law, where the communication is received or transmitted. No other conversation or questioning of employees may be recorded by means of an instrument, unless the employees are given prior notice of such recording.

Rule 11. Questioning or Interviewing of Members of Employee's Family

Members of the family of an employee, who is under investigation for alleged misconduct, shall not be questioned or interviewed during the course of such investigation, unless the Superintendent of Police authorizes the same.

Rule 12. Disclosure of information or allegations

The information or allegations obtained in the investigation of alleged employee misconduct shall be disclosed only to persons authorized by the Port Authority, or empowered or required by law to participate in or report on the investigation or any proceedings which might arise there from, provided however, that no criminal proceedings alleging the embezzlement or theft of Port Authority property may be commenced against an employee by another employee, without the prior approval of the accuser's department head and the Executive Director, and provided further however, that all reports to prosecutors shall be submitted to the Law Department for clearance before release.

Rule 13. Questions of Law

All questions of law arising during the course of any investigation of employee misconduct or criminal activity shall be referred immediately to General Counsel or his designated representative through channels.

Rule 14. Investigations with respect to employment or promotion

Investigations by members of the police force, with-respect to employment or promotions, are to be made only upon the written request of the Personnel Director or his designated representative.

Rule 15. Time limit for filing of charges

Disciplinary charges must be filed no more than one year after the Port Authority knows of the alleged commission of the offense charged.

I. INTRODUCTION

This instruction covers the use and processing of the Incident Report, PA 1985, and the Lateness Report, PA 2138.

II. PURPOSE

A. The purpose of the Incident Report (exhibit A) is the standardization of procedures for reporting noteworthy or derogatory acts or omissions on the part of the police personnel. It will be used in the following circumstances:

1. To report acts of a commendable nature.
2. To report acts or omissions which do not conform to Port Authority rules, regulations, instructions or procedures, or are otherwise of a derogatory nature.

B. The Lateness Report (exhibit B) is to be used to report lateness in reporting for duty on the part of a member of the force.

III. PROCEDURE

A. Incident Report

The Incident Report will be processed as follows:

1. The police supervisory officer who becomes aware of an incident involving a subordinate, whom he considers worthy of recording, completes the upper section of the Incident Report and forwards it to the facility Police Commanding Officer. Reports on acts of a commendable nature require duplicate copies.
 - a. Commendatory Incident Reports may also be initiated by Port Authority supervisory staff that is not members of the force, to bring to the attention of a Police Commanding Officer, commendable acts performed by police personnel. These reports will be processed in the same manner as those originated by police supervisory officers.
2. As soon as possible the Commanding Officer reviews the report and interviews the subject officer, and on the basis of the information at hand, he then decides what further action should be taken. In the case of a derogatory Incident Report, the Commanding Officer has four courses of action open to him:
 - a. He may, on the basis of his findings, destroy the Incident Report.
 - b. He may file the report, for his future information, without further processing in accordance with Section IV of this

instruction.

- c. He may administer appropriate local discipline, noting on the Incident Report the action he has taken. In this case, the subject member of the force will sign both copies of the report to signify his knowledge of the contents of the report and that the circumstances are accurately reported. If the subject officer should wish to do so, he may write on the reverse side of the form any explanation he may care to offer for having committed the reported act. Should the subject officer not agree that the report validly reflects that which occurred, the Commanding Officer must prepare a memorandum of complaint.
 - d. The Commanding Officer may decide that the reported derogatory incident is too serious to be handled locally, in which case he will prepare a Memorandum of Complaint (see P.D.I. 2-5, Disciplinary Procedure).
3. If local discipline is administered, after the subject has affixed his signature, the report is forwarded to the facility manager who initials it and returns the Incident Report to the Commanding Officer for forwarding to the Superintendent of Police. The Superintendent reviews and signs the report for return to the subject's unit for inclusion in his local personnel folder.
 4. If the incident is commendatory, a duplicate copy is required. The Police Division staff will forward the additional copy, after review and signature in accordance with above procedure, to the Personnel Department for permanent filing in subject's personnel folder.

B. Lateness Report

The Lateness Report will be processed as follows:

1. When a member of the force reports late for duty, he shall be required to record his presence in the police blotter at the time he reports, properly uniformed and ready for duty.
2. His immediate supervisory officer to ascertain the reason associated with his tardiness shall interview him.
3. The Supervisory Officer who interviews the subject officer shall prepare a Lateness Report, recording all factual information at hand in the "Remarks" section.
4. The subject officer shall sign his name on the bottom line to acknowledge his awareness of the report and that the circumstances are accurately reported. If the subject officer should wish to do so, he may write on the reverse side of the form any explanation he may care to offer for having reported late provided the entry is not inconsistent with the facts reported on the face of the forth.

5. The Facility Commanding Officer shall review the report and file it in the subject officer's personnel file.
6. Should the subject officer not agree that the report is factual, he will not be required to sign it and the matter will be referred to the Commanding Officer who will review the case and determine the appropriate action.

IV. REPEATED INFRACTIONS OR COMMENDATIONS

A. Incident Reports

It will be mandatory for the Commanding Officer to prepare a Memorandum of Complaint citing any member of the force who has been the subject of three (3) derogatory Incident Reports, processed as local admonishments, within a twelve-month period. This complaint will charge repeated violation of rules and regulations, and will review the formal disciplinary record of the subject member of the force as well as the three incidents, which directly led to the preparation of the complaint.

B. Lateness Reports

It is discretionary on the part of a Commanding Officer, upon the receipt of two or more lateness reports on the same subject member within a reasonable period of time, to direct that an Incident Report be prepared to report the repeated late nesses, or if warranted, to prepare a memorandum of complaint.

C. Commendatory Incident Reports

A member of the force receiving three (3) commendatory Incident Reports will qualify to be considered for the Police Meritorious Duty Medal (See P.D.I. 2-12, Police Meritorious Duty Medal).

V. RETENTION OF REPORTS

A derogatory incident report, counseling letters or similar documents will no longer be considered effective twelve months after the date of its preparation, however, it will be retained for an additional twelve months for reference purposes. At the end of the twenty-four month period, it will be removed from the personal files and destroyed.

APPENDIX A

PA 1985 / 10-01

INCIDENT REPORT

Subject's Name	Employee No.	Reporting Superior's Name	Employee No.
----------------	--------------	---------------------------	--------------

Title	Home Facility	Title	Home Facility
-------	---------------	-------	---------------

Location of Incident	Time of Incident	Date of Incident
----------------------	------------------	------------------

Description of Incident:

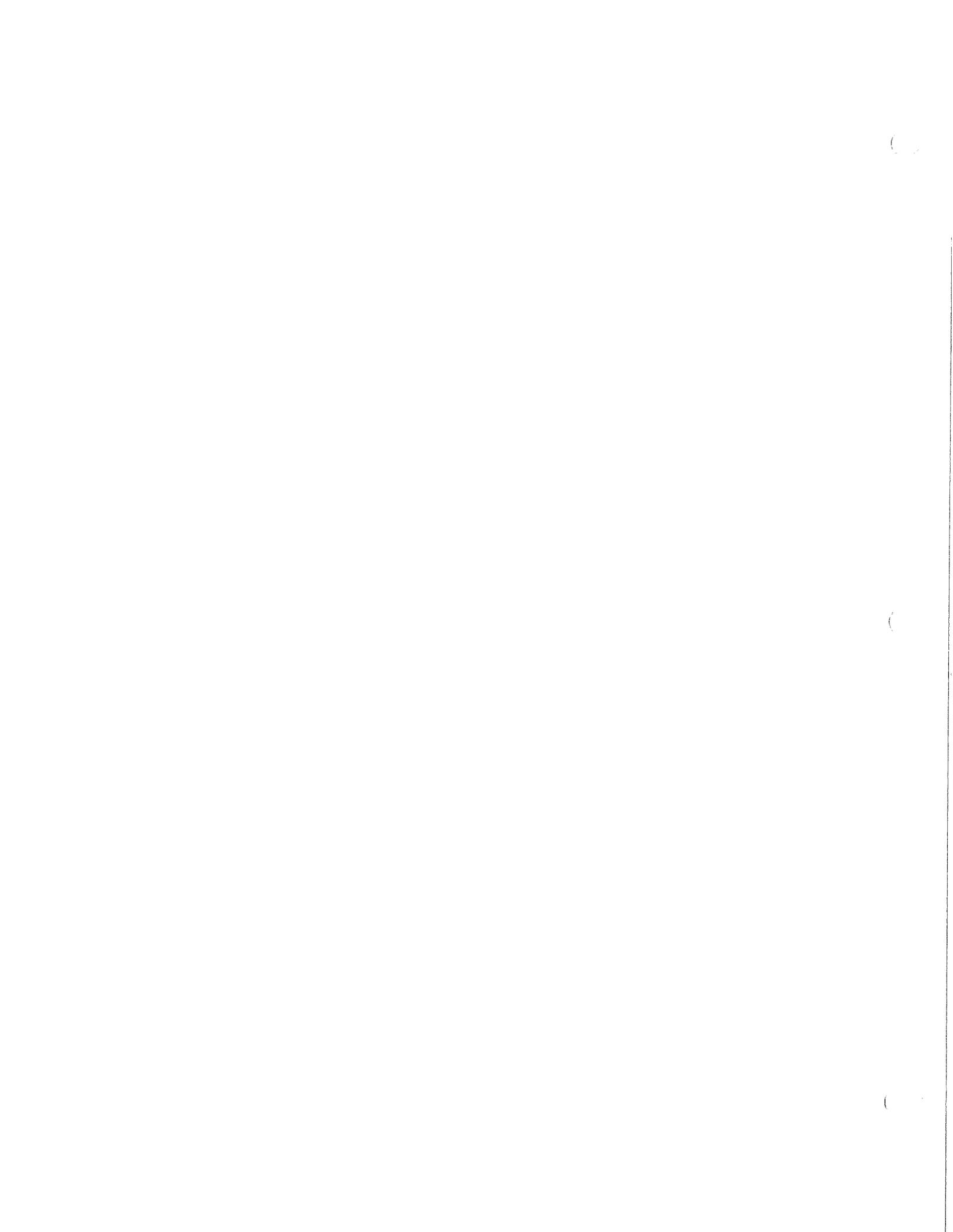
This is the _____ Incident Report on this subject in a 12-month period.
(Number)

Action taken by Unit Head:

Signature of Subject	Signature of Unit Head	Date
----------------------	------------------------	------

Manager's
Initials

Noted: _____





POLICE OPERATIONS MANUAL

SEXUAL HARASSMENT

PURPOSE:

To inform all Public Safety Department personnel of the department's policy and reporting procedures for problems related to sexual harassment in the workplace.

POLICY:

It is the policy of the Port Authority Police to maintain a work environment, which provides all employees the opportunity to perform their duties free of sexual harassment. Sexual harassment is a violation of Section 703 of Title VII of the Federal Civil Rights Act of 1964 as amended, as well as State Law, City Law, and the policy of the Port Authority.

Every Commanding Officer/Unit Head is to ensure that their facility is free from sexual harassment by assuring the facility supervisors strictly enforce the sexual harassment policy of this department.

All allegations of sexual harassment will be investigated.

DEFINITION:

Employee

All department personnel, whether sworn or not sworn.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- Submission to or rejection of such conduct is made explicitly or implicitly, a term of condition of an individual's employment, or

Subject: Sexual Harassment

P.O.I. 2-17

Issued January 1, 1992

Page 2 of 3

Revised:

Effective: January 15, 1992

- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment may include, but are not limited, to the following:

- Sexual comments of a provocative or suggestive nature.
- Request for sexual favors.
- Display of sexual pictures, objects or other material.
- Obscene or lewd gestures.

Any member of the force who witnesses or becomes aware of a situation involving sexual harassment must immediately report the incident to his/her immediate supervisor.

PROCEDURE:

Employee:

Any member of the force or employee who believes he/she has been the victim of sexual harassment, is advised to:

- Inform the offending employee of your objections to his/her conduct. This is not a requirement, but an option of the victim.
- Immediately report all allegations to the Tour Commander or a supervisor.
- Complete and forward Handwritten Report (Form #2265) to the Commanding Officer.
- Cooperate with the investigating process.

Employees, who do not receive a satisfactory response to their complaints, should contact the next level of supervision, or contact the following:

- The Port Authority Equal Opportunity Coordinator in the Human Resources Department (212-435-8153).

Formerly

Subject: Sexual Harassment

P.O.I. 2-17

Issued January 1, 1992

Page 3 of 3

Revised:

Effective: January 15, 1992

SUPERVISORY PERSONNEL:

Are to monitor the facility to ensure that the working environment is free from sexual harassment and are to take prompt corrective action when they observe or are made aware of any action or conduct regarding sexual harassment. When a supervisor learns of alleged sexual harassment at his/her facility, the supervisor will:

- Assist the complaining employee in reporting the alleged incident(s) of sexual harassment.
- Take action to limit further contact between affected employees.
- Immediately investigate the incident and forward a written report to the Commanding Officer or Unit Head.
- Recommend disciplinary action if the incident warrants it.

COMMANDING OFFICER/UNIT HEAD:

- Upon receipt of a complaint of sexual harassment, the Commanding Officer or Unit Head must report the circumstances to both the Chief Inspector of Operations and the Manager of Police Planning and Administration (EEO) at Police Headquarters.
- Take disciplinary action if the incident warrants it.

Note: This policy does not preclude any employee from filing a complaint with an appropriate outside agency.

By order of:

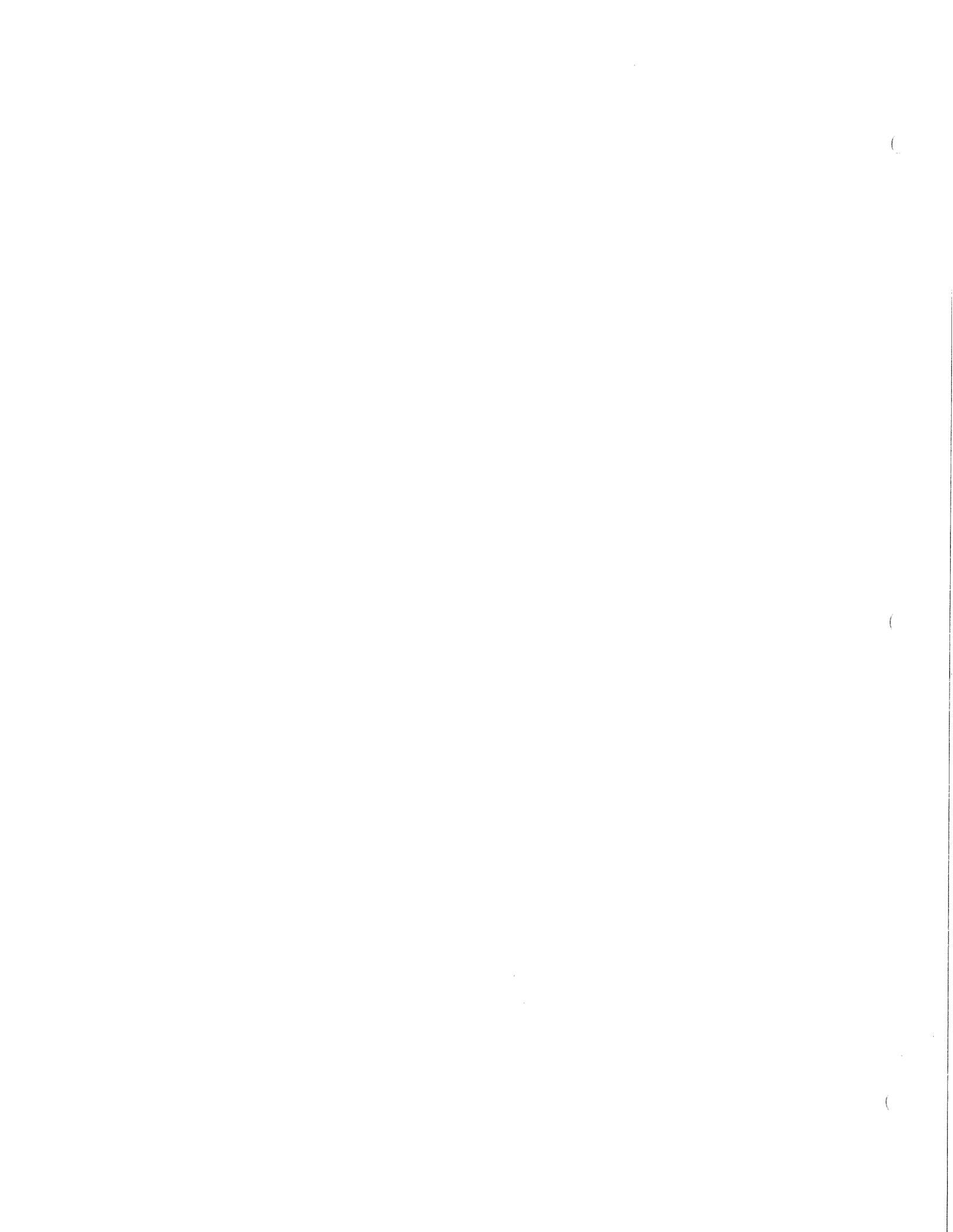


Director, Public Safety Department
Superintendent of Police

Formerly



POLICE PATROL GUIDE
UNIFORMS AND EQUIPMENT



I. INTRODUCTION

It is important that Port Authority Police Officers comply fully with all New York and New Jersey laws and/or regulations governing the use of sirens on emergency vehicles. These laws are:

- A. New York State - Vehicle and Traffic Laws, Section 1104, Subdivision C; Article 26, Section 375.
- B. New Jersey State • Title 39: 349. II.

II. PURPOSE

A. Prohibited Use

- 1. It is the policy of the Port Authority that sirens on police vehicles will never be sounded:
 - a. In any tunnel.
 - b. Off Port Authority property such as adjoining streets or highways, unless circumstances make this necessary.
 - c. For escorts in any instance where the public health or comfort would be impaired or discommoded, unless circumstances make this necessary.
 - d. To use the siren in any way that is not construed as being essential in the performance of duty.

B. Permitted Use

- 1. The siren may be sounded only when required in the interest of safety and may be used only in conjunction with an operating red emergency light. The following are examples of incidents which may occasionally warrant the use of a siren:
 - a. Responding to a fire or other serious happening on Port Authority property.
 - b. Apprehending a law violator after normal methods have been exhausted.
 - c. Police vehicle being used as an ambulance on emergency call when conditions warrant.
 - d. Other unusual circumstances which in the judgment of the operator require the use of the siren in the interest of safety.

C. Liability of Driver

The use of the siren shall not relieve the driver of any authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall it protect the driver from the consequences of his disregard for the safety of others.

III. OPERATION OF SIREN

A. Mechanical Siren

To activate the mechanical siren, the following is the procedure:

1. The siren switch located on the dashboard must be placed in the ON position.
2. The steering wheel horn rim must be pushed, as if sounding the horn.

In order to control the siren and to avoid sounding the siren when not warranted, it will be the responsibility of the operator of the vehicle to make certain that the siren switch is placed in the OFF position at all times during patrol. Only when it is deemed absolutely necessary to use the siren will the siren switch be put on the ON position. After the completion of the siren use, the switch will immediately be placed in the OFF position.

B. Electronic Siren

In cars equipped with the electronic siren, the controls for the siren are located on the floor on the right side of the driver.

The siren console is a 3" x 6" box, which contains the following controls:

1. Left side - A single button marked "SIREN". This button can be used to activate the siren when the selector is on MANUAL.
2. Center - A six (6)-position selector switch, which reads from left to right: RADIO; P.A. SYSTEM; MANUAL; WAIL; YELP; and HI-LO.

When the selector switch is placed on:

RADIO - the radio is on the outside speaker;

P.A. SYSTEM - the loud speaker can be used;

MANUAL - pressing the button on the left side of the console can activate the siren.

WAIL - a steady siren wail is automatically emitted.

YELP - a warbling sound is automatically emitted.

HI-LO - a high and then lo alternating sound is automatically emitted

3. Right side - a volume control knob marked "GAIN".

I. INTRODUCTION

The following instructions apply to the use of the BREATHALYZER, which is a device that measures blood alcohol concentration by chemical analysis of the breath and is the official testing unit of the Port Authority in enforcing N.J.S.A. 39:4-50 et seq (New Jersey) and Section 1192 et seq of the V.T.L. (New York).

II. POLICY

- A. The defendant will take no test or specimen forcibly or against physical resistance. Evidence, under such circumstances, will be obtained via methods described in this instruction.
- B. Individuals suspected of violating the drinking-driving law are entitled to all the privileges due them under the law. This means the right to counsel and a doctor of their own choosing to examine them independently of tests we conduct. They are also entitled to a copy of the form used during the test.
- C. Defendants will be charged under the State statutes. In New Jersey

In New Jersey

- 1. 39:4-50a -- for operating a motor vehicle while under the influence of an intoxicating liquor.
- 2. 39:4 -50b -- for operating a motor vehicle while ability to do so is impaired by the consumption of alcohol.

In New York

- 1. Section 1192 of the V.T.L. - For operating a motor vehicle either while under the influence or in an impaired condition.
- D. Port Authority Breathalyzers shall be operated only by Port Authority personnel possessing an operators certificate from the Attorney General of New Jersey in enforcing 39:4-50, and New York in enforcing 1192 V.T.L.
- E. Testing and questioning will take place in an area near the police desk away from the view of unauthorized personnel.

III. FACILITY DISTRIBUTION OF BREATHALYZERS

- A. Breathalyzer units will be housed at the police desk of the George Washington Br., Lincoln Tunnel, Holland Tunnel, Goethals Br., Newark, JFKIA and LaGuardia Airports. In addition the units, with a certified tester, will be made available to those facilities whose unit is out of service or without one, upon request in the following manner:
 - 1. Goethals Bridge - All Staten Island Bridges, Holland Tunnel

2. Holland Tunnel - Goethals Bridge, Newark Airport, Port Newark
 3. Newark Airport - Island Bridges, Holland Tunnel,
 4. Lincoln Tunnel - George Washington Bridge
 5. George Washington Bridge - Lincoln Tunnel
 6. J.F. Kennedy Airport - LaGuardia Airport
 7. LaGuardia Airport - J.F. Kennedy Airport
- B. In the event a requesting facility is unable to obtain assistance from its regular assisting facility, it will request assistance from any other of the remaining ones.
- C. Whenever a Breathalyzer is placed out of service, the facility will notify the Central Police Desk, which will make this fact known to all participating facilities. The effected facility will make arrangements for repairs as in X E below.

IV. PROCEDURE - FIELD

- A. Observation of a traffic violation, for which a separate summons, will be issued.
1. Except when the summons is returnable in Weehawken, New Jersey (both charges will be net forth on the same uniform traffic ticket.
- B. Apprehension of the violator.
- C. Observation of the violator as to whether his appearance warrants further investigation to ascertain if he is under the influence of intoxicating liquor.
- D. Do not permit the violator to operate the vehicle.
- E. Notification to the Patrol Sgt. or Tour Commander who will assist the officer in determining whether a Breathalyzer test is to be administered.
- F. If there are grounds to believe that the violator was operating while under the influence of intoxicating liquor, he will, before being taken to the police desk, be:
1. Placed under arrest:
 2. Informed of his rights to remain silent, that anything he says can be subsequently used against him and that he can communicate with a doctor or lawyer of his choice
- G. Test locations
1. At facilities with a Breathalyzer, the defendant will be taken to the police desk At the Staten Island Bridges; the violator will be brought to the police station of that municipality wherein the offense was committed. The Breathalyzer will then be delivered to the location and the test

administered as described in this instruction.

2. At those facilities without a Breathalyzer, the decision to bring a violator to the police desk for testing will be the signal to request a Breathalyzer and operator from the facility assigned to assist.

H. SUSPECT SHOULD NOT BE PERMITTED TO EAT, DRINK OR SMOKE WHILE IN CUSTODY AND NO TEST SHALL BE CONDUCTED UNTIL ONE-HALF HOUR HAS ELAPSED SINCE APPREHENSION.

V. PROCEDURE - DESK

A. The violator's consent to taking a breath test will be sought and evidenced to by the arresting officer. The official documents to be utilized are:

1. P.A. For 2864 (Revised 3/75) - "Police Report of Breath Alcohol Determination Test".
 - a. Used in all cases where the violator consents to submit to the test.
2. (A) 181-12 (Revised 6/72 - Yellow in color for New Jersey)- "Police Report of Refusal to Submit to Breath Alcohol Determination Test".
 - (B) DS-6 (3/73) - N.Y. Report of Refusal to Submit to Chemical Test.
 - (A) + (B) -'Used in all cases here the violator refuses to submit to the test.

The appropriate document will be prepared in three copies. While carbon is permitted, all signatures must be independently affixed.

B. Description - P.A. Form 2864

1. Police Report Breath Alcohol Determination Test (Pace Side).
 - a. This form contains twenty-five parts, all of which request information that is self-explanatory.
 - b. The message that concludes with the question".... will you submit to the breath test?" must be read to the defendant in its entirety. In the space provided, the answer will be recorded exactly as given.

NOTE: If a "No" answer is received, the arresting officer will not proceed with this form but will record the defendant's reply on the MF-12 N.J. or DS-6 N.Y. The H3 12 (N.J.), DS-6 (N.Y.) will than be made out in place of the P.A. Form 2864 as in VII.

2. Alcohol Influence Report (Reverse Side)

- a. This consists of thirty-three parts and will be filled out by the Breathalyzer operator after receiving the defendant's consent to submit to a breath test. The triplicate in this case serves as the defendant's record of the test result

VI. WHEN CONSENT IS GIVEN

A. When the arresting officer receives a "Yes" answer to the question "Will you

submit to the breath test?" he records the answer and signs all three copies in the space provided.

NOTE: A "Yes" answer means the defendant is ready to submit to a test then and there. Evasive answers such as, "I'll wait for my "lawyer," "doctor," etc. will be construed as a "No".

B. When consent is given, the arresting officer will complete the remainder of the Face Side. The form is then turned to the reverse side (Alcohol Influence Report) and given to the Breathalyzer operator for completion. The Breathalyzer operator will then:

1. Record the answers to all questions.
2. Administer the breath test, using the Breathalyzer in the manner prescribed by the appropriate operational checklist.
3. Record the results of the test in the space allocated.
4. Under remarks - insert observations made during the test.
5. Opposite opinion - check whether or not the defendant is under the influence of intoxicating liquor.

NOTE: If the defendant's ability to drive was impaired, the "Yes" box should be checked and directly beneath the words intoxicating liquor, the word "impaired" inserted.

6. The Breathalyzer operator who will ensure that the triplicate copy is given to the defendant will then sign all three copies. This will be recorded in the space provided.
7. The Breathalyzer operator will make out and initial two copies of the Breathalyzer Test Record and one copy of the Breathalyzer Operational Check List. One copy of the Test Record will be given to the defendant at the conclusion of the test.

C. The arresting officer, in all cases, should administer objective tests.

VII. CONSENT NOT GIVEN.

- A. Form MF-12 (N.J.) or DS-6 (N.Y.) is filled out in its the arresting officer.1.
 1. The portion below the space where the defendant's recorded is the affidavit. It is self-explanatory and is filled in with all the elements, which led to the conclusion that the defendant was under the influence.
 2. The desk officer who will then fill in and sign each copy in the space constituting the jurat must witness the arresting officer's signature. The original will be sent to the Division of Motor Vehicles by the facility Commanding Officer.
- B. The arresting officer will administer objective tests. In all cases where consent to a breath test is not given:

1. P.A. 2399 - Arresting Officer's Report (Alcohol Influence) must be made out by the arresting officer in duplicate.
 2. P.A. 2401 - Witnesses Report (Alcohol Influence) – This corroborates the officer's report and should be made out by a civilian in duplicate if one is available.
- C. Transportation is then provided to the local precinct for booking and further examination according to the procedures of the New Jersey municipality involved.
- D. In cases where consent is not given the charge will be 39:4-50s in New Jersey and 1192.3 of the in New York.

"Operating Under the Influence"

In the event, however: the arresting officer is of the opinion that the suspect is not "under the influence" of an intoxicating beverage, a summons will be issued for the motor vehicle violation which caused the officer to suspect that intoxication might be involved. A summons will only be issued for "driving while impaired" in situations *hare a chemical test has been administered and results indicating such impairment obtained.

E. In New York

If a person suspected of driving under the influence is requested to take a chemical test and he refuses, the test will not be given. A report of the refusal will be forwarded to the Commissioner of Motor Vehicles within 72 hours of the incident. The Commissioner will then revoke the person's driving privileges pending a bearing, as specified in section 1194, paragraph

VIII. FORMS

A. Distribution

1. Summons for original violation
 - a. Issued and distributed as prescribed in IV-A above.
2. P.A. 2864 - three copies
 - a. Consent given
 - i Original in arrest folder
 - ii Duplicate retained by arresting officer
 - iii Triplicate to defendant
3. MF-12 (N.J.) or DS-6 (NY.) - three copies.
 - a. Consent not given
 - i Original to facility Commanding Officer
 - ii Duplicate is arrest folder

iii Triplicate to defendant

4. P.A. 2399 - Arresting Officer's Report - two copies
 - a. Original - arrest folder
 - b. Duplicate - retained by arresting officer
5. P.A. 2401 - Witness' report - two copies
 - a. Original - arrest folder
 - b. Duplicate - retained by witness
6. P.A. 2113 - Criminal Complaint Report
 - a. Distributed as prescribed by P.D.I. 6-2
 - b. The assigned C.C.C. number will be affixed to all paper work.
7. Breathalyzer Test Record - Two copies
 - a. One in arrest folder
 - b. One to defendant
8. Breathalyzer operational check list
 - a. In arrest folder
9. The arrest folder, containing all reports, will be taken to court for the arresting officer's use.

B. Review

The tour consider will review all forms sad reports submitted as a result of police action under 39:4-50 a or b (New Jersey), or 1192 of the vehicle and Traffic Law (New York).

IX. GENERAL

- A. The Law recognizes certain presumptions as a result of the percentage of alcohol in a defendant's blood. These are:

In New Jersey and New York

1. Presumption of sobriety - less than .05%
2. Presumption of impaired ability - .10% or more - New Jersey
Presumption of impaired ability - .10% or more - New York
3. Presumption of being under the influence .15% or more B.

B. Relating test readings to charges preferred

1. If a test results in a reading of lass than .05%, the defendant shall be presumed sober. In such circumstances, he will be issued the summons

for the original violation and a copy of the test record before being released. Such action will require a report to the commanding officer from both the arresting officer and patrol sergeant explaining in detail all the circumstances, which led to the suspicion of intoxication

2. A. - In NJ Jersey, if a test results in a reading of .05%, but less than .10% the charge shall be driving with ability impaired (39:4-50b). Under such circumstances, the test record will have to be supported by other competent evidence, as the law does not automatically presume impairment from these readings.
 - B. In New York, a reading of .05% - .07%, the charge will be impaired driving (Chapter 248 Laws of Nov York 1974 and Section 1195 of the V.T.L.).
3. In New Jersey, if a test results in a reading of .10% but less than .152, the charge made shall be driving with ability impaired (39:4-50b)
4. In New Jersey, if a test results in a reading of .15% or over, the charge shall be driving while under the influence (39:4-50a).

In New York, if the reading is .10% or more, the charge will be driving while under the influence.

C. Validity of Breathalyzer Challenged.

1. Should an aspect of the operation, accuracy or construction of the Breathalyzer be challenged in an area beyond the technical competence of the operator, an adjournment should be requested and the State Police contacted to provide an expert.

X. BREATHALYZER EQUIPMENT AND USE

A. Breathalyzer

CAUTION: Because of the corrosive nature of the test solution, at no time should test kits be kept in the breathalyzer compartment.

1. Facilities housing Breathalyzers shall keep them at the police desk ready for use. Each Breathalyzer has its own foam rubber lined carrying case.
 - a. The case should be secured in such a fashion so that it can easily be opened and all openings accounted for
 - b. Only qualified certified officers - including the State Trooper who periodically checks the unit - are permitted to use the Breathalyzer.
 - c. The Police Academy staff will conduct Training and refresher program. No local facility training is permitted without their supervision.
2. Officers responding to another facility to conduct a test will always transport the Breathalyzer within its foam rubber lined carrying case. The utmost care must be utilized to protect it from bouncing in the vehicle.

3. When stored, the breath control knob should be in the off position and galvanometer needle locked.

B. Test Kits

1. The Breathalyzer test kit consists of:
 - a. Two ampoules containing 3 ml. of testing solution marked with their individual control numbers.
 - b. One plastic mouthpiece
 - c. One glass bubbler

NOTE: Because of the corrosive qualities of the testing solution, care should always be exercised to protect persons and property from accidental spillage.

2. Test kits with identical control numbers, are available in units of 25. Facilities maintaining testing units will request replenishment of their supply from the Police Division Equipment Clerk when there are less than 10 kits remaining.
3. Three test kits will always be kept with the breathalyzer carrying case, in a plastic bag, for immediate use. The remainder shall be safely kept in the Captain's Office and issued as required.
4. Because two ampoules of solution are required for a complete test, it is important that both control numbers be identical. Should a supply of test kits diminish to where only one kit is left, this kit is to be discarded unless it bears the same control number as the new supply.

C. Equilibrator

The equilibrator consists of a plastic bottle the cap of which is designed to hold a thermometer, an inlet and an outlet tube. Its purpose is to test the efficiency of the Breathalyzer unit. It is to be made available to the New Jersey State Trooper who periodically inspects, tests and certifies the Breathalyzer. When not in use, it is to be safely kept in the Captain's Office.

D. Simulator

The alcoholic breath simulator is a specially - designed constant temperature water-alcohol solution bath instrument devised for the purpose of providing a standard alcohol-air mixture. The solution is maintained at a temperature of 34 C (approximately mouth temperature) with a variation of plus or minus 0.2 C. This temperature variation will not result in noticeable error. Its purpose is to test the efficiency of the Breathalyzer unit. When not in use, it is to be stored in a safe area.

E. Output Gauge

The output gauge is a cylinder designed to measure the volume of air contained in the Breathalyzer cylinder. Its maintenance and use are the same as for the equilibrator.

- F. Supplies of Test Record Pads, Operational Check Lists and any repairs are to be obtained through:

Boyd Associates
Red Bank, New Jersey
(201) 741-8303

- G. Supplies of Form NF-12 (N.J.) are to be requested by facility Commanding Officers through:

Director, Division of Motor Vehicles
Bureau of Driver Improvement
25 South Montgomery Street
Trenton, New Jersey 08625

- H. Supplies of Form DS-6 (N.Y.) can be obtained through:

N.Y.S. Division of Criminal Justice Services
Bureau of Municipal Police
Room 807, Executive Park Tower
Stuyvesant Plaza, Albany, New York 12203
(518) 457-1244

- I. All Port Authority forms are to be obtained through the Port Authority Stockroom.

- J. Calibrations (New York)

All Breathalyzers will be calibrated weekly. At least two tests with the "know value solution" will be run by a qualified operator and results recorded. A plus or minus .01 is acceptable. Instrument variations in excess of .01 will void any test. In this case, the instrument will be placed "out of service" until repairs have been made.

For repairs, contact the manufacturer or:
N.Y.S. Division of Criminal Justice Services
Bureau for Municipal Police
Roan 807, Executive Park Tower
Stuyvesant Plaza, Albany, New York 12203
(518) 457-1244

APPENDIX "A" - OPERATING INSTRUCTION MODEL 900 & 900 A

Before turning instrument "ON", verify center scale indication on Null Meter.

I. PREPARATION

- A. Snap switch to "ON", wait until thermometer indicates 50° C plus or minus 3 C. Attaining this temperature takes approximately 20 minutes.
- B. Gauge the reference ampoule. The diameter of the small end of the gauge is 0.625" and the large end is 0.650". If it goes into the large end easily, but will not go into the small end, it is correct. While inserted, check to see that the "meniscus" of the solution is on or slightly above the edge of the gauge. Place ampoule in left-hand holder.
- C. Gauge a second (test) ampoule. Open; check meniscus and insert into right-hand holder. Connect glass bubbler to delivery tube, then insert in the open ampoule. Bubbler should extend within about 1/8" of the bottom.

II. PURGE

- A. Turn the "Control" knob to the take position and, with the atomizer bulb; flush out the sample chamber for a few seconds. (5 - 10 Bulbs of air). Turn to "Analyze" and wait.
- B. When red empty signal appears, wait 90 seconds, (with model A green read light will appear) turn on "Read" light, and adjust the "Light Balance Knob" until the "Null Meter" is centered.
- C. After the "Null Meter" is centered, pull back on the "Pointer Adjustment Knob" and carefully set the pointer on the Start line.

III. ANALYSIS

- A. Insert a new mouthpiece in the "Sample Tube". Turn the Control Knob to the Take position. Show the subject what you want him to do by blowing into a mouthpiece not attached to the instrument. He should blow vigorously, as long as possible. If the sample is unsatisfactory, have him blow again until satisfactory sample has been secured.
- B. Turn "Control Knob" to "Analyze".
- C. When Red empty signal appears, wait 90 seconds (with Model 900 A green read light appears). Adjust the light balance knob until the Null Meter is centered. The concentration of alcohol in the blood is now indicated on the Blood Alcohol Scale. Record same.

IV. PURGE

- A. Repeat steps II and III using Known Valve Solution and record results.

APPENDIX "B" MODEL 1000 - OPERATING INSTRUCTION

PREPARATION

1. Advance "Dower Switch" from "Off" to "Reset" position and allow instrument to warm up until "Wait" light goes out with ampoule cover closed. A period of 20 to 30 minutes is usually required to achieve proper operating temperature.
2. Gauge the Reference Ampoule. The diameter of the small end of the gauge is 0.625" and the large end is 0.650". If it goes into the large end easily but will not go into the small end, it is correct. While inserted, check to see that the meniscus of the solution is on or slightly above the edge of the gauge. Place ampoule in left-hand holder.
3. Gauge a second (test) ampoule. Open, check meniscus, insert into right-hand holder. Connect glass bubbler to delivery tube, then insert in the open ampoule. Bubbler should extend within about 1/8" of the bottom.

DEFENDANT TEST

1. Insert printout ticket into the printer mechanism until the operator hears a loud "click" indicating that the ticket has been fully inserted. Advance power switch to run position.
2. When "Sample" and "Blow" indicators illuminate, prepare to obtain breath sample. Connect new mouthpiece to "sampler tube." Show the subject what you want him to do by blowing into a mouthpiece (not attached to the instrument). Instruct the subject to blow into the instrument until the "Blow" program indicator goes out. If the "Blow" program indicator does not go out, it is indicative that the subject did not blow enough breath into the instrument. A subject's inability to perform this function successfully will be indicative of either his actual intoxication or his uncooperative attitude in complying with the test.
3. When "Sample" and "Read" illuminate, record reading and time.

KOWN VALUE SOLUTION TEST

1. Return power switch to "Reset" position and immediately advance to "Run" position.
2. When "Sample" and "Blow" illuminate, after the operating temperature of the simulator is reached ($34^{\circ} \text{C} \pm 0.2 \text{C}$), introduce known value solution sample from simulator. The technician blows his breath through the simulator; a breath sample is passed through the simulator to the retractable sample tube of the instrument. (The blowing technique should resemble the taking of a breath sample.) Record time, temperature, simulator solution

Lot #: _____, Instrument #: _____.

3. When "Sample" and "lead" illuminate, record reading and time.

Upon completion of "Known Value Solution Test" turn power switch to off and remove both Ampoules and Printout ticket.

Caution should be used in disposing of the opened ampoule. Solution contains a caustic acid and should be diluted in a large container of water before disposing.

NOTE: No breath specimen is to be collected from the subject unless he has been under the direct and uninterrupted observation of the testing officer for a minimum period of 20 minutes. During the period of observation, the subject is not permitted to take anything by mouth, or smoke.

CAUTION: Once the Ampoule cover has been closed and the mode selector switch advanced to the "Nun" position, reopening the Ampoule cover will result in the program being voided, thus requiring the operator to return the mode selector switch to the "Reset" position and to reinitiate the analytical program.

I. INTRODUCTION

This instruction prescribes the steps to be taken during the inspection of service revolver and second revolvers if worn at Roll Calls and illustrates the manner in which a Police Officer shall present the service revolver for inspection.

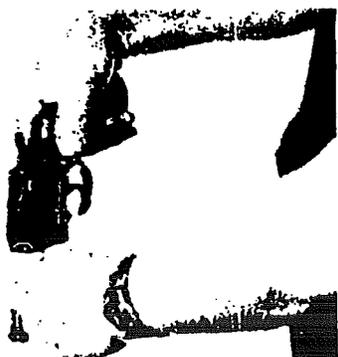
II. STEPS DURING THE INSPECTION OF SERVICE REVOLVERS AT ROLL CALLS

- A. The Police Officer designated for revolver inspection shall step out of line, proceed to corner of the room - or to the nearest wall - and unload gun. The officer shall keep his back to the men standing Roll Call
- B. Once the Officer has unloaded the gun, a Police Superior shall approach the officer - to - whom the officer shall then present the service revolver in exact accordance with the attached illustrations.
- C. The Police Superior shall first assure that the revolver has been unloaded, and shall then inspect the following items:
 - 1. Barrel, cylinder, and frame - for cleanliness.
 - 2. The front sight - that it is not bent or loose.
 - 3. The firing pin - that it is not bent.
 - 4. The ejection rod - that it is not bent.
 - 5. The firing pin - that it comes through the pressure plate (Pull trigger).
 - 6. The cylinder - that it turns, and gun will fire double action (close cylinder and pull trigger three or four times).
- D. The Police Superior shall then check the holster for safe operating condition and serviceability.
- E. The Police Superior shall return gun to the Officer in the same manner it was presented (see attached illustration).
- F. The Officer shall reload the revolver and place it in the holster. (The officer shall not turn around until this is done.)
- G. The Police Superior will inquire of the Officer if he / she is carrying a second revolver and will then require inspection of the second weapon following the same procedure as above.
- H. Desk Officer shall maintain adequate records of each revolver inspection.

III. DEFECTIVE SERVICE REVOLVERS

Service revolvers, which are found to be defective and cannot be repaired immediately, will be turned in at the Central Police Desk and a spare revolver drawn by the individual officer. The officer will retain the spare revolver until his own revolver has been repaired, at which time the officer will be notified by the

Central Police Desk to return the spare revolver and obtain his/her assigned weapon. All such transfers of revolvers will be conducted personally and receipts will be negotiated on each exchange of revolvers.



1. Revolver is drawn from holster with right hand up to waist level. Muzzle is pointed toward floor.



2. Place revolver in left hand. Release cylinder catch with right thumb. Open cylinder with left middle and ring finger. Muzzle is pointed toward floor.



3. Ejection rod is pressed by left to release bullets into upper right hand.



SERVICE REVOLVER INSPECTIONS

AT ROLL CALLS

4. Present for inspection. Right hand is dropped to side of body. Revolver held in left hand, is turned so that butt is faced away from body. Left thumb is placed against the open cylinder to hold it open.



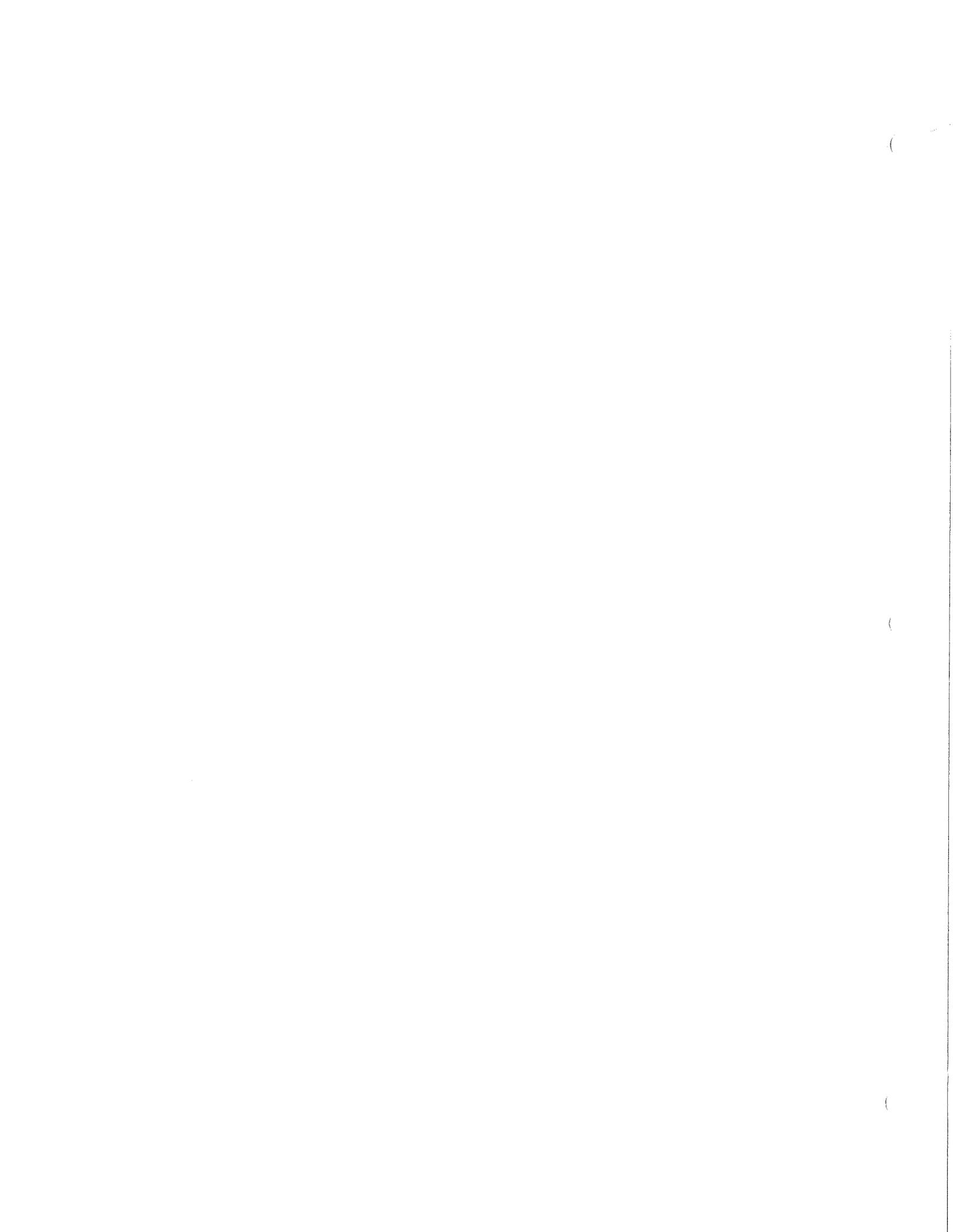
5. Place revolver on the left hand and secure cylinder to an open position with left thumb and middle and ring fingers. Reload - -muzzle pointing toward floor



6. Close cylinder with left thumb and index and middle fingers. Muzzle pointing toward floor.



7. Revolver is held with butt hand returned to holster.



I. INTRODUCTION

This instruction outlines the procedures that apply to the Video Taping of Intoxicated Drivers arrested in the State of New Jersey for violation of Motor Vehicle Statute 39:4-50 at those facilities possessing video taping equipment.

II. POLICY

- A. All persons arrested for the violations of Title 39:4-50 will be video taped during the testing procedure.
- B. Only those officers certified to give Breathalyzer tests will operate the videotape equipment.
- C. All videotapes will be held as evidence until such time as the court of jurisdiction notifies the facility Police Commanding Officer that the case is closed and the appeals process has been completed.

III. PROCEDURE - FIELD

- A. A member of the force who observes a traffic violation or other traffic incident such as a motor vehicle accident where the violator's condition leads the police officer to believe the violator is under the influence of intoxicating liquor and/or drugs.
- B. The arresting officer will advise the violator that he is being placed under arrest for operating a motor vehicle while under the influence of alcohol and/or drugs.
- C. The ranking police superior officer will be notified of the arrest and he will make arrangements for a Breathalyzer test to be conducted.
- D. The violator will be frisked at the scene, his vehicle secured or removed to a safe area. (NOT "Impounded" unless required by Law)
- E. The violator will not be allowed to drink, eat or smoke while in custody. He will then be transported to the designated area of the Administration Building for testing and processing.

IV. PROCEDURE - ARREST ROOM

- A. The videotape equipment will be activated before the violator is brought into the room.
- B. At no time will anyone but the arresting officer, the Breathalyzer officer, the defendant and a police superior officer, if available, be in the arrest room during the videotaping.
- C. Upon entering the room the arresting officer will have the defendant sit in a chair facing the camera. He will be advised that the proceedings are being

video taped and will be read the required New Jersey State Statute 39:4-50.2 (PA form 2864) requiring him to take a breathalyzer test.

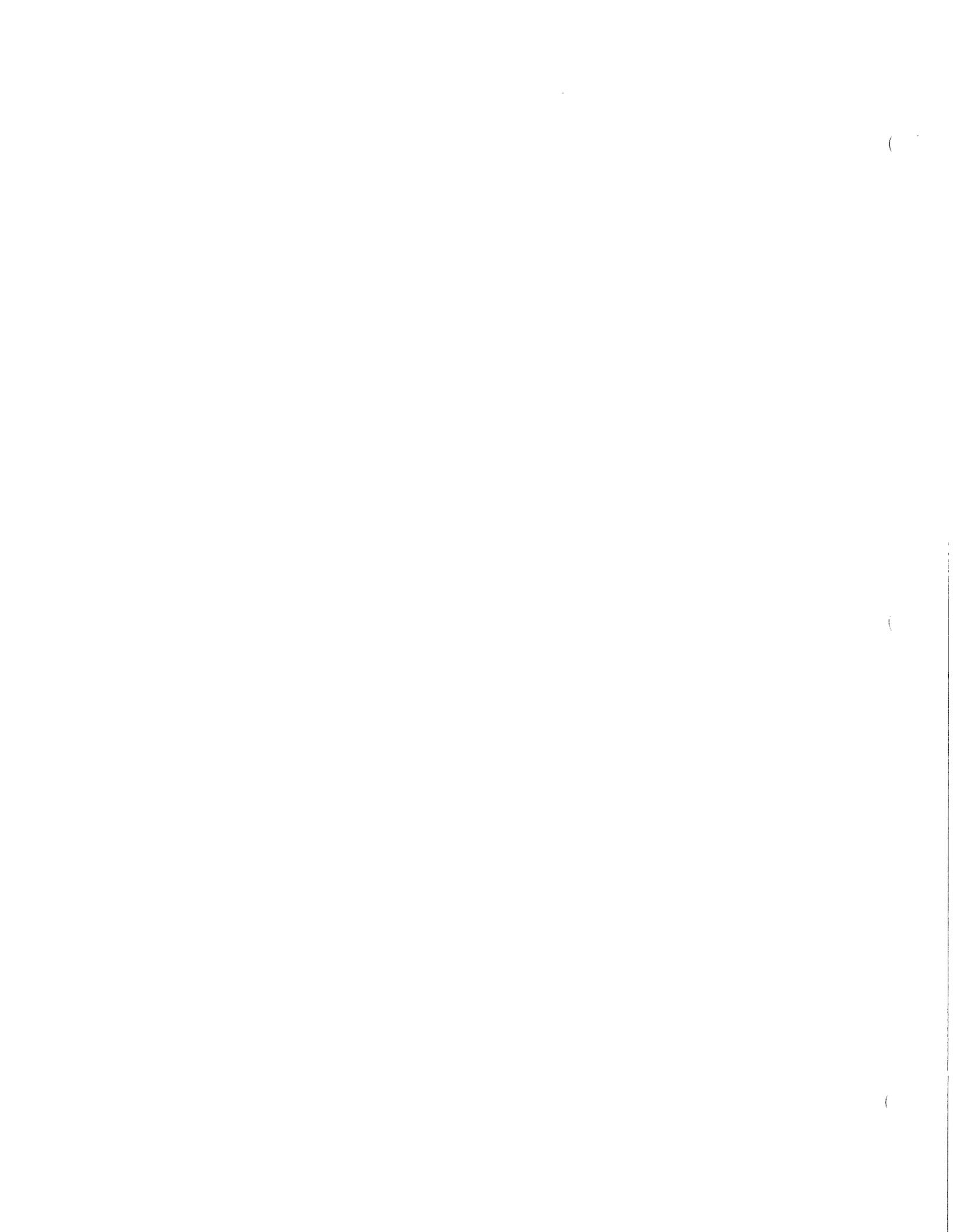
1. If the answer is YES, the Breathalyzer officer will prepare the Breathalyzer for the test and monitor the video equipment keeping track of the time. The arresting officer will continue with section IV-D.
 2. If the answer is NO, the Breathalyzer will be secured, the New Jersey refusal form (MF 12) will be prepared by the arresting officer and he will continue with section IV-D. The Breathalyzer operator will remain as a witness and operate the video equipment.
- D. The arresting officer will request the defendant to perform a series of dexterity tests while being taped. (Refusal to take the Breathalyzer test will have no bearing on the videotaping.) The tape will remain on at all times and at the end of the first tape, the arresting officer will indicate on the tape the time and reason for stopping the video tape unit and the CCR number. On restarting the videotape, the arresting officer will indicate the time and CCR reference number. One tape may be all that is necessary for a refusal.
- E. After completing the dexterity tests and answering the prepared questions, the Breathalyzer officer will take over. The defendant will be asked to submit to two (2) Breathalyzer tests and the results will be read out loud so the officer's voice announcing the results will be permanently recorded for the court hearing.
- F. Upon completion, the Breathalyzer officer will identify the tapes by labeling, i.e., CCR number, tape number, defendant's name and date, and secure them for future court use.
- G. A log book will be maintained by the facility Police Commanding Officer and will include CCR number, date, time, arresting officer, breathalyzer officer, defendant's name, videotape number, breathalyzer readings, time and date reviewed by the defendant's attorney, judge and prosecutor.
- H. The completed arrest report and the videotapes will be given to the Tour Commander, who after reviewing, will forward them to the facility Police Commanding Officer. The facility Police Commanding Officer will secure the videotapes and handle all viewing arrangements.
- V. EQUIPMENT REPAIR

When a video camera, monitor or the recording equipment becomes inoperative, the units will be delivered to the Audio-Visual Unit at the Police Academy, Journal Square Transportation Center. The Police Academy will be responsible for repair of defective units.

APPENDIX "A"

CAMERA OPERATION

1. Aim camera at clock and calendar for your introduction.
2. Run a test of the introduction and review same for quality of picture and sound.
3. Clock should always be in picture.
4. The Breathalyzer operator will always face the camera when giving results.
5. T.V. monitor will be watched at all times, sound level off.
6. At no time will the taping session be shut down until the complete test is given.
7. There should be no unnecessary conversation between the officers while tests are being conducted.
8. At no time will anyone but the arresting officer, Breathalyzer officer, police supervisor, and the defendant be in the arrest room during the taping.
9. If one tape is not sufficient the following statement will be read by the breathalyzer operator,
10. "The tape is being stopped at this time (state time) for changing of the tape", give CCR number. When restarting recording unit give CCR number, time, and tape number.



I. PURPOSE

It is the purpose of this instruction to define the circumstances in which the use of X-ray Equipment by Port Authority Police is or is not authorized.

II. POLICY

A. Qualified X-Ray Unit Operators

- B. Only Police personnel who have been trained and qualified by the Police Academy may operate the X-ray Equipment. Port Authority police personnel are not authorized to X-ray any packages or items which are believed to be, or to contain, an explosive or incendiary device or to X-ray any item which has been declared to be suspicious by a ranking police official pursuant to PDI 4-6, Attachment D - "Unattended Packages/Suspicious Items".

Example: luggage left over after an aircraft, subject to a threat, has been unloaded and all passengers have claimed their baggage; the left over luggage not readily identified with a passenger or reconciled by the carrier is suspicious under PDI 4-6 Attachment D page 2(d). It should be treated as a potential device and the bomb squad of jurisdiction should be called. No X-ray is authorized or appropriate.

X-ray is not authorized to be used to screen unattended packages. The protocol found in PDI 4-6 is to be used to determine if an unattended package is to be considered "suspicious".

- C. Port Authority police officers are authorized to use mobile or portable X-ray units to:

Screen packages or luggage as part of pre-flight procedures for VIP movements upon request of a criminal justice agency and/or VIP security detail. The purpose of such X-ray usage shall be to screen for weapons or other dangerous articles in a manner similar to the pre-flight screening of passengers provided by air carriers. A member of the requesting agency must sign the request for service on the X-ray release form and be present to observe the X-ray monitor and/or radiograph to determine if any objectionable item is present.

Screen hand carry items of persons entering a secure area such as VIP arrival or departure or other sensitive areas upon authority of the facility commanding officer or at the request of an outside criminal justice agency. Screening of hand carry items should only be conducted in conjunction with the use of a metal detector.

Screen packages or luggage pursuant to a search warrant or under the authority and at the request of a criminal justice agency authorized by law to conduct such search but only to provide technical assistance to such authorized agency present and participating.

Screen packages or luggage as part of pre-flight screening for private or commercial passenger or cargo movements at the request of responsible pilot, owner or airline manager. Responsible party requesting service must sign the X-ray release form and be present to observe X-ray monitor and/or radiograph to determine if an objectionable item is present.

III. PROCEDURES

Qualified X-ray operators will be responsible to adhere to safety precautions relating to X-ray exposure to self (X-ray badges/rings) and to others (no persons should be permitted in front of the X-ray beam). This X-ray is not the type permitted for use on human beings.

Operators will adhere to operating instructions specific to the machine to be used and shall not operate any machine for which they have not been trained and qualified.

IV. RECORDS

X-ray Equipment Log and X-ray Release Form

- A. An X-ray Equipment Log will be maintained. This log will contain the name(s) of the operator(s), the date the equipment was used, the amount of time used, and the reason for use, e.g., requested by Mr. Smith, Pan American - operators practice, etc. The serviceability of the unit(s) will be noted on the log. The Tour Commander who authorized the use of the equipment will initial the log entries.
- B. The X-ray Release Form (Attachment # 1) will be prepared and signed by a member of the agency or organization requesting the use of an X-ray unit prior to any screening process. These forms will be kept at the Police Desk. A supply will also be kept with the equipment.
- C. Copies of the X-ray Release Form will be distributed to the Port Authority Law Department, Manager of Claims Administration, Inspector - Operations (Police Division), Facility Commanding Officer, and Commanding Officer-Police Academy.

I. ACTION

This instruction outlines the uses of cameras assigned to facilities for general police use.

II. EQUIPMENT AND SUPPLIES

- A. The camera prescribed for this use is the Yashica 124 G Camera with a rechargeable strobe electronic flash unit. A Polaroid Camera capable of taking photographs to the standard 3 1/4" x 4" size will be utilized if the Yashica 124 G is out of service.
- B. The film to be utilized by the Polaroid Camera is 107 Black/ White film, eight photos to the pack. The film utilized by the Yashica 124 Camera is CPS 120 color film or ASA. Tri-X 120 Black/ White film, twelve photos to the roll. These cameras will be kept loaded and ready for immediate use and six (6) packs of Polaroid 107 film and six (6) rolls of Kodak CPS color film and six (6) rolls of Kodak ASA Tri-X film are to be kept in reserve at all times.
- C. A minimum of one-half gross (72) M-3 type flash bulbs will be kept in reserve at all times, for use with the Polaroid camera.
- D. The command supplies must be kept available for immediate police use at all times in accordance with local facility instructions.
- E. Film, bulbs and batteries are maintained in stock in the Photographic Section and additional supplies can be obtained by specifying requirements on the Photographic Requisition Form #645.

III. USE

- A. Photographs must be taken in the event of the following:
 - 1. Any type of accident scene (vehicular or non-vehicular) when,
 - a. A fatality occurs or
 - b. Serious personal injury results or
 - c. Extensive property damage is incurred.
 - 2. Crime scenes such as burglary, homicide, hit and run accident, felonious assault, suicide, or any other incident where physical evidence that a crime has been committed is visible.
 - 3. Photographs should be taken as specified in P.D.I. 4-3, V, (Traffic and Patron Accident Investigations).
 - 4. Any fire of the structural or vehicular type where extensive property damage has or is likely to occur, or where the origin of the fire is of a suspicious nature.

5. All aircraft fires.
 6. Any other incident where, in the opinion of the superior officer in charge, photographs may be of value to investigations and/or court actions.
- B. The electronic strobe light of the Yashica 124 Camera or the flash attachment of the Polaroid Camera should be utilized at all times after dark, indoors or when daylight may not be sufficient to provide a clear picture, or when strong shadows may obscure details of the subject. Flash photos during the hours of darkness should be taken at a distance of twelve to eighteen feet from the subject.
- C. A record of each photograph taken should be made. In addition, the information listed below should be recorded on the back of each photo.
1. Date, time and location.
 2. Distance from subject.
 3. Approximate height of subject.
 4. Description of view of subject, i.e., right front, left side, etc
 5. Location of camera with respect to two fixed objects.
 6. Any other pertinent information.
 7. Name and shield number of photographer.

IV. PROCESSING OF FILMS

- A. Film exposed by the Yashica 124 G Camera will be delivered to the Photographic Section at the World Trade Center together with a requisition specifying enlargements up to 8" x 10", and the number of prints requested.
- B. If additional prints of any photos taken with the Polaroid Camera are required the photos should be sent to the Photographic Section with a requisition specifying the number/size of enlargements desired.

Upon receipt of the prints, the officer Who took the photos will immediately identify each print in accordance with the information obtained under III D above and be initialed by the officer.

- C. In the event additional prints are authorized for other than facility personnel, the Police Commanding Officer can obtain the required number from the Photographic Section at the World trade Canter.

I. INTRODUCTION

This instruction prescribes:

- 1 seasonal regulation uniforms,
- 2 uniform emblems and insignia,
- 3 related procedures and control.

II. SEASONAL REGULATION UNIFORMS

A. Inspectors - Captains - Lieutenants

Winter Uniform

Overcoat - regulation 30 ounce beaver.

Trousers - regulation 14 ounce serge.

Cap (all season) - regulation blue serge.

Gold chin strap.

Shoes and socks - black

Gloves - regulation leather, black in color.

Shirt - regulation midnight blue tropical worsted
(optional breast pockets).

Tie - black, pull away

Tie clasp - regulation type.

Spring and Fall Uniforms

Dress blouse - regulation 20 oz. dress cloth.

Trousers - regulation 14 oz. blue serge.

Cap (all season) - regulation blue serge.

Gold chin strap.

Shoes and socks - black

Gloves - regulation leather, black in color

Shirt - regulation midnight blue tropical worsted
(optional - breast pockets).

Tie clasp - regulation type.

Tie - regulation type.

Spring and Fall Uniform (Lieutenants)

Police fall jacket - nylon antron jacket, police blue.

Jacket accessories - permanent lining - nylon taffeta cloth, navy blue.

wind liner - nylon twill, navy blue.

collar - 100% orlon pile fabric, black.

Trousers - regulation 14 oz. blue serge.

Cap (all season) - regulation blue serge. Gold chin strap.

Shoes and socks - black

Gloves - regulation leather, black in color.

Shirt - white, conservative, business type collar. Tie - black four in hand.

Tie clasp - regulation type.

Summer Uniform I

Summer blouse - regulation 14 ounce blue serge.

Trousers - regulation 14 ounce blue serge.

Cap (all season) - regulation blue serge. Gold chin strap.

Shoes and socks - black.

Shirt - white, conservative business type collar (optional - short sleeve - Port Authority regulation Lieutenant white shirt may be worn under the summer blouse when required to change from Uniform III to I, with the collar closed).

Gloves - regulation white cotton or nylon.

Tie - black, pull away

Tie clasp - regulation type.

Summer Uniform II

Shirt - regulation midnight blue tropical worsted
(optional - breast pockets).

Trousers - regulation 14 ounce blue serge.

Cap (all season) - regulation blue serge. Gold chin strap.

Shoes and socks - black.

Tie - black, pull away.

Tie clasp - regulation type.

Summer Uniform III - Lieut., Capt., D.I., Inspector (optional)

Shirt - Port Authority regulation white open collar - short sleeve.

Collar ornament - small fire gilt bar collar ornament, of appropriate rank 3/4" in and parallel to the end of the collar.

Trousers - regulation 14 ounce blue serge (dacron optional).

Cap (all season) - regulation blue serge. Gold chinstrap.

Shoes and socks - Black.

NOTE: When two (2) or more Lieutenants are working at the same command, they all will wear the same uniform of the day.

Sergeants and Police Officers

Winter Uniform

Shirt - regulation midnight blue tropical worsted or poplin
(optional - breast pockets).

Overcoat - regulation 30 ounce beaver.

Trousers - regulation 14 ounce blue serge.

Cap (all season) – regulation blue serge (optional - regulation Arctic cap).
Sergeants - Gold chin strap.

Shoes and socks - black

Gloves - (traffic) - white wool, (patrol) leather - black in color.

Spring and Fall Uniform I

Police fall jacket - nylon antron jacket, police blue.

Jacket accessories - permanent lining - nylon taffeta cloth, navy blue.
wind liner - nylon twill, navy blue.
collar - 100% orlon pile fabric, black.

Trousers - regulation 14 ounce blue serge.

Cap (all season) - regulation blue serge (optional - regulation arctic cap).
Sergeants - gold chin strap.

Shoes and socks - black

Gloves - (traffic) - white cotton or nylon, (patrol) regulation leather black in
color.

Shirt - regulation midnight blue tropical worsted or poplin (optional - breast
pockets).

Tie - black, pull away.

Tie clasp - regulation type.

Special Dress Occasions (Spring, Summer and Fall)

Summer Uniform I listed below is designated as the official dress uniform of the department and will be worn at all dress functions (parades, promotion, ceremonies, medal awards, etc.). The Winter Uniform may be designated as the dress uniform of the day for those ceremonies conducted outdoors during cold weather.

Summer Uniform I

Summer blouse - regulation 14 ounce blue serge.

Trousers - 14 ounce blue serge.

Cap - (all season) - regulation blue serge. Sergeants - Gold chin strap.

Shirt - regulation midnight blue tropical worsted or poplin (optional - breast
pockets).

Tie - black, pull away

Tie clasp - regulation type.

Gloves - white cotton or nylon.

Shoes and socks - black.

Summer Uniform II

Trousers - regulation 14 ounce blue serge.

Cap - (all season) - regulation blue serge (open weave band optional).

Shirt - regulation midnight blue tropical worsted or poplin (optional - breast pockets).

Tie - black, pull away.

Tie clasp - regulation type.

Shoes and socks - black

Summer Uniform III

Trousers - regulation 14 ounce blue serge (dacron optional).

Cap - (all season) - Blue serge (open weave band optional).
Sergeants - Gold chin strap.

Shirt - regulation midnight blue, open collar, short sleeves, tropical worsted or poplin (optional - breast pockets).

Shoes and socks - black

III. UNIFORM EMBLEMS AND INSIGNIA

A. Ranking Officers Insignia

The insignia or rank for uniformed officers shall be as follows:

Inspector	-	Fire Gilt Spread Eagle
Deputy Inspector	-	Fire Gilt Oak Leaves
Captain	-	Two Fire Gilt Bars
Lieutenant	-	Fire Gilt Bar
Sergeant	-	Chevron (three stripes)

The insignia of rank will be work on all outer uniform garments (raincoat excluded).

B. Shoulder Insignia – Collar Ornaments - Service Stripes
Requirements for Lieutenant, Sergeant and Police Officer.

1 Shoulder Insignia (Lieutenant, Sergeants and Police Officers)

The Police shoulder patch will adorn the police fall jacket. This shoulder patch will be sewn on the uppermost portion of the left sleeve of the police fall jacket.

2 Collar Ornaments (Sergeants and Police Officers)

Regulation Port Authority yellow metal collar ornaments will adorn the outermost uniform garment (police fall garment and raincoat excluded).

3 Service Stripes (Sergeants and Police Officers)

Regulation black tubular braid shall be sewn on the front of both sleeves of each uniform coat. Each stripe shall indicate five years of continuous police service (nylon fall garment excluded).

IV. FOUL WEATHER GEAR

- A. All uniform members will possess regulation police foul weather gear i.e., rubbers and legging or boots, reversible fluorescent orange/black raincoat and cap cover.
- B. Fluorescent orange colored gloves may be worn in conjunction with the orange colored side of the raincoat during inclement weather. These gloves are an optional uniform item.

V. LEATHER GOODS

- A. Sam Browne belts will be the standard gun belt.
- B. Garrison belts with plain black metal buckles will be worn with uniform trousers.
- C. Cartridge Carrier, 12 Round Type.

VI. APPEARANCE OF UNIFORMS

A member's uniform apparel, when appearing in public, shall be as follows:

- 1 Cleaned and pressed.
- 2 Shirt collars, shirtsleeves and outer garments shall be buttoned and the tie properly adjusted with exception of the short sleeved open collar summer regulation shirts.
- 3 Leather goods and shoes shall be cleaned and polished.
- 4 Caps shall be worn in a military manner.
- 5 Hat plates, shields and buttons shall be shined.
- 6 Police fall garment's zipper shall be closed to the uppermost portion of the jacket's two breast pockets.

VII. UNIFORM OF THE DAY

- A. The uniform of the day shall be prescribed by the Superintendent of Police.
- B. All members of the force will wear the uniform of the day unless otherwise authorized.
- C. Whenever a facility Commanding Officer of Tour Commander require the service of plainclothes or detective personnel and a member of the Police Division Criminal Investigation Bureau is-not available to respond to the

scene, a member of the uniformed force may be assigned to plainclothes duty. A blotter entry will be made identifying the officer and establishing the time the assignment was made. A second entry will be made at the termination of the assignment.

- D. A Commanding Officer at a facility where members of the force are required to perform duties in heated areas is authorized to prescribe the uniform of the day for members of his command, subject to approval of the Superintendent of Police. Facility Commanding Officers may also authorize changes in the uniform of the day when unusual operational or weather conditions warrant this action.

VIII. GENERAL

- A. Definition - The term "regulation" in this instruction refers to cloth or material prescribed in the New York City Police Department Specification for use in that department.
- B. Availability - Every uniform member shall have immediately available the uniforms prescribed for his rank or grade and shall appear in full uniform at all times when on duty, unless otherwise directed by police commanding officers.
- C. Mixing of Uniforms and Civilian Clothes - A mixture of uniform and civilian clothing shall not be worn in public. In addition, no member of the force shall ride in a privately owned vehicle in uniform so that any part of said uniform may be observed by the public. Exceptions under special conditions may be made by the facility Commanding Officer to expedite Port Authority operations.
- D. Personal Appearance - A member, while appearing in uniform shall be clean-shaven, have hair properly trimmed and neat and be clean in his general appearance.
- 1 Hair - The hair will be trimmed in such a manner so as:
 - a It is tapered to the general shape of the head.
 - b It does not extend to the collar line of the uniform nor cover the ears or eyebrows when combed.
 - c The uniform cap fits securely upon the crown of the head.
 - 1 Sideburns - Sideburns will be neatly trimmed and not extend below the bottom lobe of the ear. The base of the sideburns will be a horizontal line. The "mutton chop" style of sideburns is not permitted.
 - 2 Mustaches - The mustache will be neatly trimmed and will not extend the outline of the upper lip, nor extend beyond the corner of the mouth, nor drop below the corner of the mouth.
 - 3 Beards - Beards goatees or any hairy growth below the bottom lip or on the chin are not permitted.
- E. Wearing While on Duty - All uniform members shall remain in uniform while on duty unless specifically authorized to change into civilian clothes.

- F. Only Two (2) Classes Permitted - No more than two (2) classes of uniforms shall be approved for wear during the same period of the year.
- G. Court Appearance - Appearance in court shall be in uniform, unless otherwise directed, as specified in P.D.I. 6-5 (Court and Official Appearances).
- H. Uniform Allowances - The annual uniform allowance shall be as set forth in current memorandum of agreement will be issued to all nonmedically restricted police personnel on the first payday during the month of July. Uniform allowances for medically restricted personnel in a non-uniform status will be as follows:

In June of each year, a review will be conducted of members of the force on permanent medical restriction. The uniform allowance will be withheld in accordance with P.A.I. 20-4.01.

Personnel whose uniform allowance was withheld will receive a pro-rated allowance, should they subsequently be returned to a regular duty status according to the following chart:

<u>Month of Return to Duty</u>	<u>Pro-Rated Allowance</u>
July - September	100%
October - December	75%
January - March	50%
April - June	25%

Medically restricted personnel who are not receiving a uniform allowance will be required to stand uniform inspection upon return to regular duty status.

This requirement may be fulfilled by appearing at the regular seasonal uniform inspection for all members of the force in accordance with P.D.I. 871 (Uniform Inspections)

- I. On Return from Military Leave - On return from military leave, members of the Police Division absent on military leave at the normal time of payment will receive a pro-rated payment in accordance with the schedule listed in paragraph H above.

IX. UNIFORM COMMITTEE

- A. The Port Authority Police Uniform Committee will consist of four Members of the force. The Police Division Planning and Research Lieutenant will be the Chairman of the Uniform Committee. The Superior Officers Association, Sergeants Benevolent Association and Police Benevolent Association, respectively, will appoint the other three members of the Uniform Committee.
- B. The Uniform Committee will maintain a continuous program of research into all aspects of police uniforms. The Committee will make recommendations to the Superintendent of Police on:

- 1 Uniform standards and specifications
- 2 Adoption of new items of uniform; and
- 3 Maintenance of uniforms

X. UNIFORMS ISSUED TO POLICE RECRUITS

The following uniform items are issued to police recruits upon graduation from the Port Authority Police Academy.

- 1 1 police tap, all season, blue serge.
- 2 1 pair trousers, regulation 14 oz. blue serge.
- 3 1 police overcoat, regulation 30 oz.
- 4 All other uniform items will be purchased by the officer. Replacement of any of the above items will be made by the officer, through use of the annual clothing allowance.

I. INTRODUCTION

This instruction outlines the procedures used for the issuance of police uniform buttons, insignia, collar ornaments, shoulder patches and service braid - items furnished to members of the force without charge.

II. METHOD OF SUPPLYA. Initial Issue

The winter uniform will be issued to the Police Officer complete with buttons and shoulder patch. Collar ornaments, shirt buttons and insignia for summer shirts will be issued at the Police Academy.

B. Replacements

1. Each officer will obtain replacements or additional buttons, patches, or insignia from his commanding officer, as needed.
2. Service braid will be issued in one length based on a minimum of 1/2 yard (18"), which is sufficient to provide one service stripe on each sleeve of one uniform garment.

III. SUPPLY LEVELSA. Facility Supply Levels

Facility stocks will be maintained according to the schedule; outlined in Section V of this Instruction.

B. Stock Levels - Central Stockroom

The Port Authority Central Stockroom located in the Port Authority Building will stock for contract uniform demands and all facility and Police Academy issues and replacements: A maximum of six months and a minimum of two months' supply will be carried.

IV. REPLENISHMENT BY FACILITY COMMANDING OFFICERA. Buttons, Insignia and Collar Ornaments

When the supply on hand falls to the minimum reorder level, the Facility Commanding Officer will order the quantities listed in the column of the schedule listed under IV C. Stock Requisition, P.A. Form 176A will be prepared and submitted to the Port Authority Central Stockroom.

B. Service Braid

Replenishment of service braid is via memorandum to the Police Division Police Equipment Sergeant.

V. SUPPLY LEVELS POLICE FACILITIES

<u>ARTICLE</u>	<u>H.R.C.</u>	<u>C.I.B.</u>	<u>AIRPORTS</u>	<u>BUS TERM.</u>	<u>MAR.TERM</u>	<u>POL ACAD</u>	<u>POL DIV</u>	<u>PATH</u>
<u>Buttons</u>								
Overcoat	100	100	100	100	100		50	100
Sleeve Shirt	264	264	264	264	264		50	264
(W/Bodkin)	132	132	132	132	132	396	50	132
<u>Shoulder Insignia</u>								
Overcoat, Jacket and Shirt Shoulder Insignia	50	50	50	50	50	100	25	50
<u>Ornaments</u>								
Collar (PA) (Pair)	50	50	50	50	50	100	25	50
<u>Service Braid</u>								
Yards	50	25	50	25	25		50	

VI. REPLENISHMENT BY STATIONERY STOCKROOM.

Supplies will be reordered from the manufacturer at six month-intervals in anticipation of demands based on replacement and recruit training requirements.

I. INTRODUCTION

This instruction prescribes the standard regulation equipment that shall be carried by all members of the uniformed force while on duty.

II. STANDARDS

All equipment carried by a police officer must meet the standards set by the Superintendent of Police.

The term "regulation" when applied to police equipment described in this instruction, shall mean only those items of police equipment:

- a. Issued to recruits and replaced by the Port Authority. Items of regulation police equipment issued to recruits that are replaced by the Port Authority when worn or unserviceable will not be replaced by any other method.
- b. Carried as stock in our Police Equipment Bureau. Items issued to recruits and replaced at the officer's own expense or items to be purchased at the officer's own expense must be purchased from the Port Authority Police Equipment Bureau to be considered regulation.

III. EQUIPMENT ISSUED TO RECRUITS

The following items comprise the initial issue of equipment that is made to a recruit who graduates from the Police Academy.

1. Breast shield and cap plate with identical identification numbers.
2. Revolver; .38 caliber police special, Colt or Smith and Wesson.
3. Black leather holster: Smith & Wesson Model 847-34 (Black)
4. Police Identification card.
5. Uniform buttons, shoulder patch, and collar ornaments.
6. Police Division Instructions.
7. General Rules and Regulations for all Port Authority employees.
8. Regulation baton.
9. Regulation whistle.
10. Dropout black leather cartridge case for 12 cartridges
11. Regulation white plastic traffic belt.
12. Regulation memorandum book.

13. Eighteen .38 caliber police special, 158-grain standard velocity, round nose, factory manufactured lead cartridges. (Armor piercing, steel jacketed or blunt nosed bullets are prohibited).
14. Protective Vest.

NOTE: Items 1-8 will be replaced in kind by the Port Authority at no expense to the officer. Items 9-14 will be replaced at the officer's expense. Cartridges are available in lots of 10 at the P.A. Pistol Range.

IV. EQUIPMENT CARRIED BY MEMBERS OF THE FORCE WHEN ON DUTY

Members of the force shall carry only the following equipment when on duty.

A. On Patrol

1. Fully loaded issued revolver in an issued holster suspended on a Sam Browne black belt.
2. Twelve extra .38 caliber 158-grain standard velocity round nosed factory manufactured lead cartridges in a regulation carrier or drop out black leather cartridge case.
3. Regulation handcuffs in regulation leather case.
4. Regulation baton (when prescribed by local facility instructions).
5. Regulation billy.
6. Regulation police whistle.
7. Summons holder with number and type of summonses as prescribed by facility.
8. Regulation white plastic traffic belt 2" wide.
9. Assigned radio case, when appropriate.
10. Regulation memorandum book - on each assigned tour of duty, the following entries shall be made:
 - a Date
 - b Tour of Duty
 - c Post assignment
 - d Designated meal period (time and location)
 - e Complete and accurate entries of the duty performed, as well as all unusual occurrences on assigned posts, will be recorded. If there are no unusual occurrences - "nothing to report" shall be written.

- f Absences from post, entered as occurs
 - 1 Reasons
 - 2 Time of departure
 - 3 Time of return
- g Name of officer making the relief.

All entries shall be made in chronological order in ink or ballpoint pen. At the completion of the tour, the entries will be signed by the reporting officer.

Completed insert pads shall be retained by the officers for a twenty-four month period.

Scheduled inspections of memorandum books will be made at each roll call, or during tours of duty.

11. Any other equipment prescribed by the Facility Commanding

B. Emergency Garage

All members of the force assigned to the Emergency Garage function will wear their service revolvers and cartridge carriers, while in Garage clothes, as described in Section IV, A, items 1 and 2. Handcuffs may also be carried if approved by the facility Commanding Officer.

V. BADGES OF OFFICE AND IDENTIFICATION

A. Police Shield and Cap Plates

Police shields and cap plates for the appropriate rank shall be of the type prescribed and issued by the Superintendent of Police.

1. Police shields for the appropriate rank will be worn over the left breast of the outermost garment while
 - a in uniform;
 - b in emergency work clothes where the "house" assignment involves contact with the public. Regulation police uniform shirts and uniform hats will be worn with dungaree pants, by all officers assigned to the emergency garages, except those officers designated as "Squad Leaders and Firefighters".
2. Police shields shall be carried on one's person at all times and displayed on the outermost garment at the scene of a police emergency, or when visiting Police Division offices.
3. Cap plates shall be displayed at all times while on duty affixed to the prescribed cap for season and assignment.
4. Officers will have in their possession and display only that shield and hat plate assigned to them unless temporary shields and hat plates are issued to replace those being replated or those reported lost.

During these periods, the number of the temporary replacement shield will be used on all official correspondence such as summonses and reports.

B. Police Identification Card

The card issued by the Police Division and containing a photograph of the officer shall be the only type of police identification card carried by the officer. Miniature, duplicate and facsimile shields are prohibited. Officers are responsible for the proper use and safekeeping of the Police Identification Card. When displayed, the Police Identification Card will always be utilized in conjunction with the Officer's police shield.

VI. SAFETY

A. White Traffic Belts

At all facilities, members of the force assigned to traffic posts shall wear regulation white belts during the hours of darkness.

VII. RESPONSIBILITY

- A. An officer is responsible for the safeguarding, appearance, serviceability and upkeep of all equipment, pursuant to this instruction.
- B. The loss of any items of equipment requires that it be reported to the Commanding Officer and replaced in kind.
1. Items of equipment to be purchased by the officer will be obtained by filling out P.A. Form 2153, titled Police Equipment Order (See P.D.I. 7-9).
 2. Items of equipment replaced by the Port Authority are available through the Office-of the Commanding Officer.
- C. Loss of the service revolver, breast shield, cap plate, or I.D. card shall be reported immediately to the Central Police Desk by telephone. Written notification will also be made without delay to the facility Commanding Officer and to the Superintendent of Police explaining the full particulars. The loss or improper use of these items will result in disciplinary action.

A spare revolver, shield and cap plate are kept on hand at the Central Police Desk and-available for temporary replacement whenever a loss is reported.

VIII. CONTROLS

- A. The Patrol Sergeant or designated supervisory officer is responsible for the inspection of all police personnel during his tour of duty.
1. Roll Call Inspection - all Police personnel standing roll call will be inspected for the condition of equipment required to be carried by them. Any deviation from the prescribed standards shall be brought to the attention of the inspecting officer's Supervisor who will direct what action will be taken.

2. Field Inspection - where starting times and detail assignments make it impossible for men to stand roll call, the supervisory officer responsible for roll call will personally inspect these officers at their place of assignment as early in the tour as is practicable and report omissions to his immediate supervisory officer.

B. Members of the Police Division shall, during staff inspections, notice the appearance and condition of uniforms and personal equipment. A report of their findings will be made known to the Superintendent of Police as well as the Commanding Officer of the facility.

IX. RECORDING ISSUE AND RETURN OF UNIFORMS AND EQUIPMENT

A. At the time of issuance of all equipment and uniforms, the officer signs a receipt on the reverse side of PA Form 548 (Clothing & Equipment Record).

B. Acknowledgement of the return of equipment is also recorded on the Clothing and Equipment Record (PA 548). Upon separation from the P.A., the employee's supervisor will insure the return of all Port Authority property and make the appropriate notation on the Clothing and Equipment Record, P.A. Form 646. Surrender of Port Authority Equipment, will also be completed at this time. Both forms listed above will be forwarded to the Records Section of the Personnel Department, for inclusion in the employee's personnel file.

C. Members currently assigned to each command shall be issued a radio case to be worn as appropriate while on duty. Upon transfer from the facility, the issued radio case will be returned to the facility Police Commanding Officer and he will be re-issued a radio case by his new Commanding Officer.

D. Replacement costs for loss of the radio case shall be at the Police Officer's expense.

X. POLICE EQUIPMENT STANDARDS COMMITTEE

A. Police Equipment Standards Committee shall consist of the Assistant Superintendent of Police who shall be the chairman, the Police Division Planning and Research Lieutenant, three members from the Port Authority Police Benevolent Association, one member each from the Port Authority Police Superior Officers Association, The Port Authority Police Sergeants Benevolent Association and the Port Authority Police Detectives Endowment Association.

B. The Police Equipment Standards Committee will maintain a continuous program of research in all aspects of police equipment. The Committee will make recommendations for implementation by the Superintendent of Police on:

- a Equipment standards and specifications;
- b Adoption of new items of equipment; and,
- c Maintenance of equipment.



I. INTRODUCTION

This instruction provides for the maintenance of a supply of non-tailored items of police equipment by the Purchase and Supply Services Division and for the sale of this equipment to members of the police force.

II. RESPONSIBILITY

- A. The Purchase and Supply Services Division of the Management Services Department is responsible for:
1. Maintaining a supply of the items of police uniform equipment listed in Appendix A (Police Equipment Order). This supply is stocked at the Central Stockroom, Port Authority Building.
 2. Distributing to the members of the force such equipment items as are purchased by them. This distribution is made by the stockroom truck to the facility stockrooms,
 3. Furnishing semi-annually to the Police Division a revised price list of the items stocked.
- B. The Comptroller's Department is responsible for:
1. Processing the original copies of equipment orders submitted by the members of the force.
 2. Deducting the total value of equipment purchased by each member of the force annually from his uniform allowance. (If the value of the equipment exceeds the amount of uniform allowance, the balance will be deducted from regular paychecks).
 3. Furnishing information to facilities at the time of members' termination of employment.
- C. The Police Division is responsible for:
1. Determining what equipment items are to be sold, and advising the Purchase and Supply Services Division as to the quantity of these items to be maintained in stock.
 2. Furnishing the standards for the items to be stocked.
 3. Assuring, through inspections, compliance with the procedures prescribed in this instruction.

III. PROCEDURE

- A. To place an order for police equipment, members of the force shall fill out Form PA 2153 Police Equipment Order (Appendix A), entering the stock no., quantity, size, description and cost of each item, and the total cost of

the purchase. The facility to which the equipment is to be delivered will be specified at this time. The form shall then be signed with name, rank and shield number of the purchaser, to authorize the deduction from uniform allowance (and, if necessary, from regular payroll). The desk officer or tour sergeant shall then sign the appropriate space on the form to indicate verification of the prices listed and of the purchaser's signature and shield number. Three copies of the form will be sent via P.A.D. to the Central Stockroom, P.A.D. and a copy is retained by the member for his personal record.

- B. The Central Stockroom will fill the order and send the equipment to the specified facility stockroom, with the third copy of the order form. The original copy of the order form shall be forwarded to the Controller's Department; the second shall be retained at the Central Stockroom.
- C. A member of the force claiming his order at a facility shall be required to produce his police shield for identification and to sign the third copy of the order to indicate receipt of the goods purchased. The facility stockkeeper shall check the number on the shield presented by the officer claiming the articles to assure that it corresponds with the number on the order form.
- D. If the Central Stockroom is unable to fill an order, all copies of the order form will be returned to the facility stockroom. The Central Stockroom Stockkeeper will note on the back of the original of the form the reason he was unable to fill the order. (If depletion of stock at the Central Stockroom is the reason, he shall note, in addition, the date of expected delivery). All copies will be returned to the member of the force placing the order when he comes to the stockroom to pick up his order.
- E. During June of each year, the Comptroller's Department will total the costs to be charged each member of the force, and will deduct this amount from his uniform allowance check. If the value of the equipment purchased exceeds the amount of a member's uniform allowance, the balance will be deducted from succeeding payrolls at the rate of \$5.00 per check.

IV. FACILITY STOCKROOMS

In specifying the facility to which the equipment is to be delivered, a member of the force must select from one of the following:

Stockrooms:

- | | |
|------------------------------|-----------------------------|
| Holland Tunnel | Newark Airport |
| Lincoln Tunnel | LaGuardia Airport |
| J.F.K. International Airport | Central Stockroom (PAB) |
| World Trade Center | Port Newark |
| George Washington Bridge | Brooklyn Piers |
| Goethals Bridge | Port Authority Bus Terminal |

An officer assigned to a facility not listed above must pick up his equipment at one of the above-mentioned facility locations.

V. TERMINATION OF EMPLOYMENT

Upon being notified of the impending termination of employment of a member of the police force, the commanding officer of the facility to which he is assigned will contact the Payroll Supervisor. Inquiry will be made as to whether the terminating employee has received any police equipment for which a deduction has not yet been made. If such is the case, a remark to this effect, including the amount owed by the member of the force, will be noted as the "Notice of Severances" Form PA 886.



POLICE EQUIPMENT ORDER PA 2153 / 07-07

CONTROL NO.
SR - DOCUMENT

INITIAL ISSUE REPLACEMENT

Unit Measurements	Qty.	Description	Size	Unit Cost	Total	Unit Measurements	Qty.	Description	Size	Unit Cost	Total
Each		Belt, Garrison	/			Each		Shirt, Male Navy, S.S.	/		
Each		Belt, Sam Browne	/			Each		Shirt, Female Navy, S.S.	/		
Each		Cap, Arctic	/			Each		Shirt, Male White, L.S.	/		
Each		Cap, Officer's	/			Each		Shirt, Female White, L.S.	/		
Each		Cap, Patrolman	/			Each		Shirt, Male Navy, L.S.	/		
Each		Cap, Baseball / PAPD 9-11-01	/			Each		Shirt, Female Navy, L.S.	/		
Each		Cap, Baseball W/ unit patch	/			Each		Trouser, Male Class A, Trop.	/		
Each		Case, Handcuffs	/			Each		Trouser, Female Class A, Trop.	/		
Each		Case, Shield	/			Each		Trouser, Male Class A, Winter	/		
Each		Case, Shield, I.D.	/			Each		Trouser, Female Class A, Winter	/		
Each		Cover, Memo Book	/			Each		Raingear, Jacket	/		
		Glove, Blk. Leather	/			Each		Raingear, Pants	/		
Pr.		Gloves, Wht. Dress	/			Each		Raingear, Cap	/		
Each		Hand Band, Chin Strap	/			Each		Sweater, Commando	/		
Each		Handcuffs, Nickel Plated	/			Each		Turtleneck	/		
Each		Holder, Whistle	/			Each		Tie, Clip-On	/		
Each		Jacket, Cruiser	/			Each		Whistle	/		
Each		Jacket, winter parka	/								
Each		Shirt, Male White, S.S.	/								
Each		Shirt, Female White, S.S.	/								

Last Name (Please print or type) _____ First _____ M.I. _____ Employee No. _____ Facility _____ Date Prepared _____

The cost of the above uniform equipment is to be deducted from the purchaser's next uniform allowance. (From paycheck upon termination).

	Cost Code	Bus Area	G/L Account	Cost Center
Debit	1000	X	115008	/
Credit	1000	X	558160	018G02

Please Fax or Mail Completed form to:
 Universal Uniforms, 33 William Street, Newark, NJ 07102
 Fax: 973-622-7934 Telephone: 973-622-5700

Signature of Purchaser _____ Rank _____ Equipment Sgt. Authorization for Initial Issues _____ Date _____

Issued By _____ Date Issued _____

I. INTRODUCTION

This instruction outlines the various Port Authority medals and breast bars that are authorized to be worn by designated members of the force and the standards by which these awards will be worn. The procedure for obtaining authorization to wear Non-Port Authority issued medals, is also outlined.

II. MEDALS AND BREAST BARS AUTHORIZED TO BE WORN BY DESIGNATED POLICE PERSONNE

A. Port Authority. Medals and Awards

1. Medal of Honor
2. Distinguished Service Medal
3. Commendation Medal
4. Executive Director's Unit Citation
5. Meritorious Police Duty Medal
6. Police Division Group Citation'
7. Detective Harold C. Myers Memorial Award
8. Holland Tunnel Exceptional Service Medal

B. Shooting Proficiency Breast Bars

1. Expert
2. Sharpshooter
3. Marksman

C. Authorized Non-Port Authority Medals

Members of the force who have been awarded medals while members of other police departments, may obtain permission to wear them on their Port Authority uniforms-: The procedure for obtaining permission is outlined in Paragraph IV of this P.D.I.

D. American Flag Emblem

Members of the force may wear a metal emblem of the flag of the United States of America, not exceeding one (1) inch square and conforming to the New York City Police Department sample. Said emblem shall be worn 1/4 of an inch above the center of the shield or other authorized bars or ribbons.

- E. Only approved medals, breast bars and emblems may be worn on the uniform in the manner prescribed

III. REQUIREMENTS FOR THE WEARING OF PORT AUTHORITY MEDALS AND BREAST BARS

- A. Medals shall be worn on the dress uniform when directed by the

Superintendent of Police.

1. The Medal of Honor shall be worn suspended from the neck.
 2. All other medals shall be worn on the left breast of the coat above and centered on the shield, the highest award to the wearer's right and the lowest to the left.
- B. Except as directed in paragraph A above, breast bars for shooting proficiency and those in lieu of medals shall be worn on dress uniforms as follows:
1. Breast Bars shall be worn on the left breast, 1/4 above, centered on, and parallel to the top points of the shield.
 2. When more than one breast bar is required, they shall be placed 1/4 inch above each other as depicted in Appendix A and in the following order:
 - a American Flag Emblem
 - b Medal of Honor
 - c Distinguished Service Medal
 - d Commendation Medal
 - e Executive Director's Unit Citation
 - f Meritorious Police Duty Medal
 - g Police Division Group Citation
 - h Detective Harold C. Myers Memorial Award
 - i Holland Tunnel Exceptional Service Medal
 - j Shooting Proficiency Bark.
 - k Police Shield

IV. NON-PART AUTHORITY MEDALS AND -AWARDS

- A. When a member of the Port Authority Police is the recipient of a Non-Port Authority award or medal, the breast bar of the award or medal shall be worn 1/4 inch above the Shooting Proficiency Bar.
- B. The medal or award that is received by a member of the Port Authority Police from a Non-Port Authority source, must have been earned for some act or occurrence that reflected favorably upon this department during the recipient's performance of duty as a police officer; and must receive the approval of the Superintendent Of Police in order to wear the medals or breast bar on a member's uniform.
- C. Members of the force who have been awarded medals while members of other police departments may obtain permission-to wear them on their Port Authority uniform, by use of the following procedure.
 1. An officer wishing to wear the breast bar of a medal awarded while he was the member of another police department, will submit a memorandum to his Commanding Officer, requesting authorization to wear the breast bar. The request should include:

- a The name of the award-or medal
 - b The name of department issuing award and date issued
 - c A description of the breast bard
 - d A full description of the circumstances under which the medal was awarded
2. The Commanding Officer will forward the request to the Medal Review Board through the Police Division Special Services Sergeant. After reviewing the request; the Medal Review Board will forward the request and their recommendations to the Superintendent of Police, who will make the final decision.
 3. A memorandum will be forwarded to the individual officer advising him of the decision and a copy of the decision will be placed in the officer's personnel file for future reference.
 4. If approved, the authorized Non-Port Authority medal breast bar will be worn just above the Shooting Proficiency Bar, as specified in Appendix A.

NOTE: IF AN OFFICER IS AUTHORIZED TO WEAR BOTH A NON-P. A. MEDAL AWARDED WHILE HE WAS A MEMBER OF ANOTHER DEPARTMENT, AND A NON-P. A. MEDAL AWARDED AS A MEMBER OF THE P.A. POLICE, THE LATTER MEDAL WILL BE WORN IN THE HIGHER POSITION, ABOVE TBE SHOOTING PROFICIENCY BAR.

V. MOURNING BANDS

Members of the force are permitted to wear a mourning band on their police shield whenever a member of a duly authorized police department within the Port District, is killed in the line of duty.

The mourning-band used will be the 3/4 inch, -black, elastic type, worn on the shield in such a manner so as to cover the seals of the two states, thus leaving the-officer's shield number clearly visible.

The mourning band may be worn only for a period extending from the day of death through the day of-interment. Whenever an active member of the force dies in the line of duty, all members of the force will wear the mourning band as described in the above from the time of death until 2400 hours on the 30th day after the officer's death.

APPENDIX A

WEARING OF BREAST BARS



American Flag Emblem



Medal Of Honor



Distinguished Service Medal



Executive Director's Award of Achievement



Police Commendation Medal



Executive Director's Unit Citation



WTC 9-11-01



Executive Director's World Trade Center Valor Medal



Meritorious Police Duty Medal



Police Division Group Citation Bar



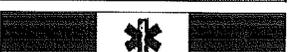
Det. Harold C. Meyers Memorial Award



Incident Exceptional Service Medal



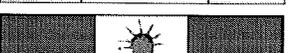
Excellent Police Duty Breast Bar



Medical Duty Medal



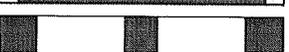
2008 Papal Medal



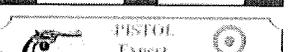
July 4, 1986 Bar



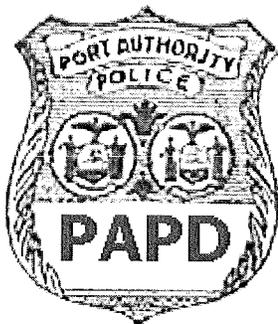
Police Emerald Society Pipe Band Bar



Authorized Outside Department Bar



Shooting Proficiency Award



Police Shield

I. INTRODUCTION

This instruction outlines the Port Authority Safety Awards Program.

II. PURPOSE

Safety awards are given to members of the force in recognition of outstanding safety performance. The Employee Safety Awards Program serves as a means of departmental recognition of exceptional safety achievements and is designed to promote group incentive towards working safely.

III. ELIGIBILITY

- A. All members of the force are eligible to participate in the Safety Awards Program. When a participating group completes the required number of man-hours without a disabling injury, the Facility Commanding Officer will prepare a memorandum to the Manager, Risk Management Division.
- B. The Risk Management Division will verify the record. Following this verification, each employee in the group will become eligible to make a gift selection.
- C. The request for verification should include: the number of members of the group, the total man-hours worked by the group, and the calendar dates during which the man-hours were accumulated.

IV. PROCEDURE

The following rules apply to groups participating in the Safety Award Program.

- A. All members of the group on day of record will be eligible for awards. (Day of record will be the day on which the required number of disabling injury-free man-hours were achieved).
- B. Pursuant to the foregoing all employees who leave a group will be subject to the status of their new group.
- C. Central Police Pool members will be eligible to participate in awards given to their assigned group if they have served with the group for at least the last 60 days of the record period. Disabling injuries to personnel in the foregoing group who have less than 60-days service with their assigned group will, for awards purposes, be charged against the Central Police Pool group.
- D. The Central Police Pool will maintain award groups for those employees not on permanent type of assignments at facilities.
- E. All award groups must have 10 or more employees.

- F. Disabling injuries are determined by the Risk Management Division on the basis of the guidelines set forth in the record keeping requirements of the National Safety Council
- G. Assaults on employees by the public are not charged against an award group as a disabling injury

V. REQUIRED AWARD MAN-HOURS FOR SAFETY PERFORMANCE AWARD

<u>Group Size</u>	<u>Initial Performance Award (man-hours)</u>	<u>Continued Performance Awards (man-hours)</u>
10	22,000	44,000 and every 22,000 thereafter
20	42,000	82,000 and every 42,000 thereafter
30	62,000	124,000 and every 62,000 thereafter
40	82,000	164,000 and every 82,000 thereafter
50	102,000	204,000 and every 102,000 thereafter
60	122,000	244,000 and every 122,000 thereafter
70	142,000	284,000 and every 142,000 thereafter
80	162,000	324,000 and every 162,000 thereafter
90	182,000	364,000 and every 182,000 thereafter
100	202,000	404,000 and every 202,000 thereafter

For group size between 10 and 20, 20 and 30, etc. and 2,200 man-hours per individual.

Example: Group of 15

$$\begin{aligned}
 \text{Required man-hours} &= 22,000 + 5 \times 2,200 \\
 &= 22,000 + 11,000 \\
 &= 33,000
 \end{aligned}$$

VI. SAFETY AWARD ORDERING PROCEDURES

Units eligible for awards in accordance with the eligibility requirements can acquire and handle awards through the following procedures.

- A. The Facility Commanding Officer in a memorandum to the Manager, Risk Management, indicates the eligible group, whether the award is for initial performance and the charge code.
- B. Award certificates are sent by the Risk Management Division to the requesting Facility Commanding Officer for distribution.

- C. Invoices are sent directly to the Risk Management Division by the supplier, and costs are charged to the ordering unit.
- D. Award certificates are distributed by the command to eligible employees and unused certificates are returned, identified by number, to the Manager, Risk Management Division.
- E. If problems should arise as to the type, quality, or conditions of the awards, they should be communicated (using the certificate number) directly to the supplier. Complaints should be explained to Purchase and Supply Services Division. The Manager, Purchase and Supply Services Division, WTC-73N will handle unresolved problems with the supplier.

I. INTRODUCTION

This instruction outlines procedures for the inspection of uniforms, the dates and time of inspection, and the responsibility for such inspection.

II. PURPOSE

The purpose of the inspections program is to insure that uniforms and equipment worn by members of the force meet the specifications established by the Police Division and also to insure replacement of uniforms and equipment when they are no longer serviceable.

III. INSPECTION OF UNIFORMS

A. Close of Seasonal Inspections

Inspection of uniforms, other than at daily roll call, shall be held after the close of the season for wearing such uniforms. Members of the force standing inspection will wear the prescribed uniform for inspection in full, with cap device, insignia, collar ornaments, emblems of rank, black shoes, service revolver, and leather goods, as prescribed in P.D.I. 7-6, "Regulation Police Uniforms".

B. Semi-Annual Inspections

Semi-annual inspections of uniforms will be conducted at each facility. Members of the force may attend any of the inspections scheduled for their facility. They may also attend the uniform inspection at any other facility if prior approval is obtained from their commanding officer. Central Police Pool officers may attend the uniform inspection at any facility listed in the inspection schedule published by the Police Division.

IV. DATE AND TIME OF UNIFORM INSPECTION

A. Date of Uniform Inspections

The Superintendent of Police or his designated representative will assign three (3) dates to each facility for seasonal uniform inspections, during the months designated below. Each date assigned to a facility will occur on a different day of the week and the 3rd inspection date for each facility will be at least thirty (30) days after the first inspection day.

1. April and May (each year)

Winter overcoat, fall jacket, trousers, winter gloves, cap, service revolver, and leather goods. P. D. I. Manual will also be inspected, to insure all current additions and changes are inserted.

2. September and October (each year)

Summer uniforms (blouse and pants), summer shirts (long and short sleeve), summer gloves, cap service revolver, and rain goods.

3. The Officer's motor vehicle operator license will be inspected for a current validation date. Each officer's driver license number will be recorded under the officer's signature on P.A.2329 and verified by the inspecting officer.

B. Time of Inspection.

The hours of inspection should be about 0730 and 1530 hours so as to be available for members working all tours. The days and hours will be established in an information notice published by the Police Division prior to each inspection period.

V. INSPECTIONS

The Inspector of Operations will be in charge of the Uniform Inspections program. The inspecting unit will consist of the facility Commanding Officer and the Inspections Police Officer from the Police Division staff. Members of the force standing inspection will remain until the inspection is completed. It will be the personal responsibility of each member of the force required to do so, to stand uniform inspection on one of the dates scheduled for his facility.

VI. CONTROL AND RECORDSA. Notification to Commanding Officer

Following a police uniform inspection at a facility, the Police Division Uniform Inspection Section will notify the facility Commanding Officer by memorandum, of those members of his command whose uniforms and/or equipment have been rejected, as well as those members of the command who did not stand any of the three scheduled inspections.

B. Rejections

When an officer has been ordered to replace or repair an item of clothing, a card bearing his name will be filled out listing the items rejected.

C. Records

Separate cards will be filled out for each officer when items of equipment must be repaired or replaced. All cards will be forwarded to the Police Commanding Officer, together with the memorandum.

D. Reinspection and Approval

1. When the Facility Commanding Officer has reinspected and-approved the uniform clothing and/or equipment of the individual officer, he will sign the appropriate card and forward it to the office of the Inspector of Operations.
2. The cards will be filed in the Uniform Inspection Section and will control the reinspection of rejected articles of clothing and equipment.

E. Central Police Pool Personnel

Members of the Central Police Pool and Sergeant's Reserve Pool may present repaired articles of clothing or equipment to any Facility Commanding Officer for reinspection. These reinspections will be handled as follows:

1. Duplicate cards will be prepared for each rejected CPP member. The original will be forwarded to the individual officer and the duplicate will be held by the Police Division Uniform Inspections Section.
2. The CPP member will present his card to the Facility Commanding Officer who conducts the reinspection. If the rejected article meets with the approval of the Facility Commanding Officer, he will sign the card and forward it to the Inspector of Operations.

Those members of the force who fail to stand uniform inspection will be interviewed by his Commanding Officer to determine the reason for not standing the inspection. If in the opinion of the Commanding Officer, the reason is not a valid one; an incident report will be prepared and processed in accordance with P.D.I. 2-7 "Incident and Lateness Report".

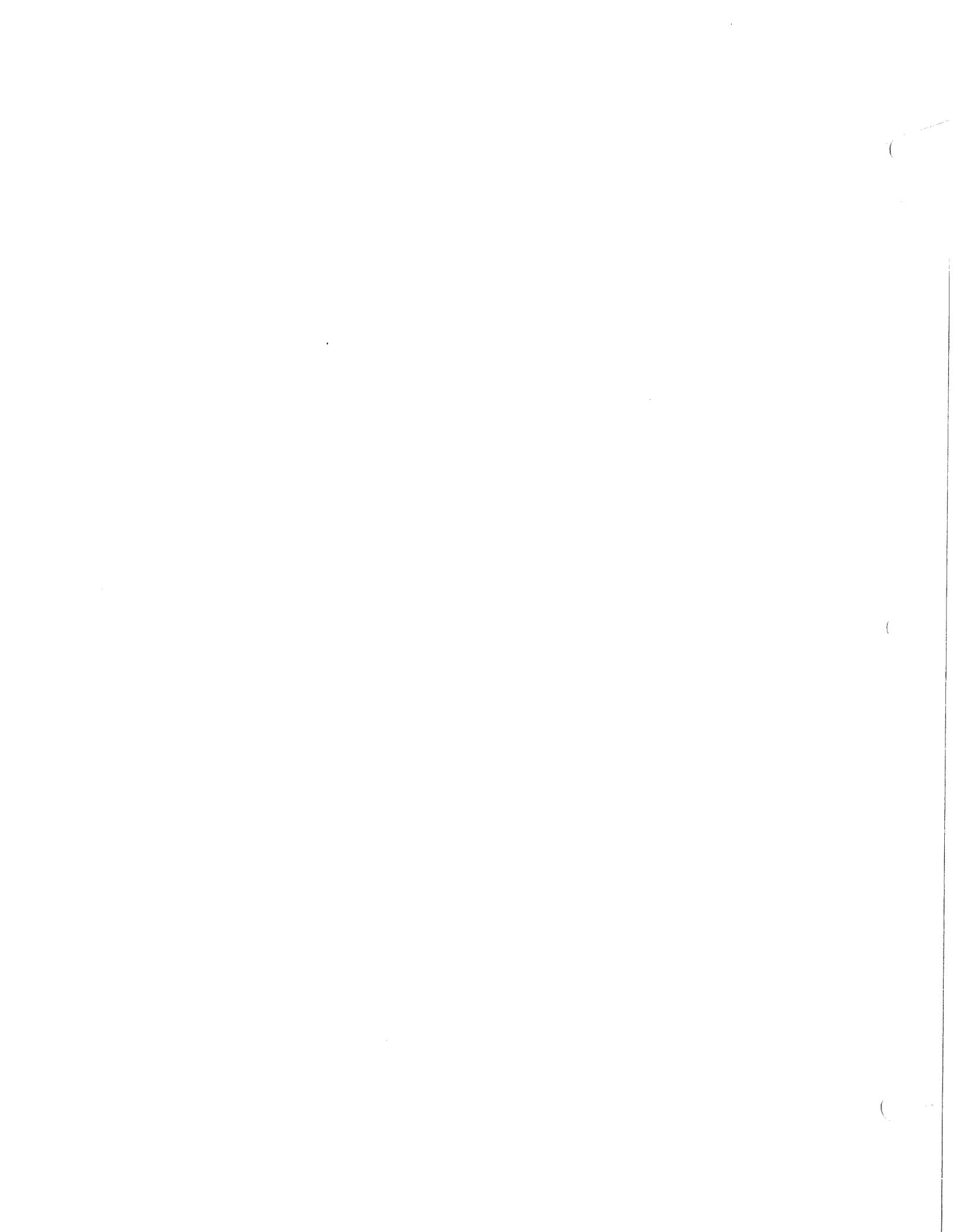
VII. TIME LIMITS ON REINSPECTIONS

Members of the force required to repair or replace uniform items will submit the items for reinspection when repair or replacement has been effected, but not later than September 1, in the case of winter uniforms and March 1, in the case of summer uniforms. Police caps, rain goods, leather goods and other equipment will be replaced within a three (3) week period of the inspection.

VIII. STAMPING EQUIPMENT

Any facility that requires the use of the uniform stamping equipment may obtain it for a period of one month by requesting it from the office of the Inspector of Operations.

- IX. Service revolvers, which are found to be defective and cannot be repaired immediately will be turned in at the Central Police Desk and a spare revolver will be drawn by the individual officer. The officer will retain the spare revolver until his own revolver has been repaired, at which time he will be notified by the Police Division Equipment Section to return the spare revolver and obtain his assigned weapon. All such transfers of revolvers will be conducted personally and receipts will be made out on each exchange of revolver



I. INTRODUCTION

This instruction outlines the functions of the Inspections Unit of the Police-Division, whose responsibility it is to examine the personnel, physical conditions, equipment and operating procedures of a police unit and to determine if the organization's objectives are being met in accordance with existing administration standards, policies and orders.

II. TYPES OF INSPECTIONS

There are three (3) general categories of inspections:

Line Unit Self-Inspections

These inspections are staff functions, which are delegated by facility Commanding Officers and conducted on a daily, weekly, or monthly basis by facility supervisory personnel who are in direct control of facility operating areas and assigned police personnel. The purpose of these inspections is to insure that tasks are being satisfactorily performed.

Spot Inspections

Spot Inspections are conducted by both facility Commanding Officers and Police Division staff on an irregular basis (nights, weekends, holidays, etc) to determine if procedures, rules and regulations, and operational proficiency are being maintained.

Staff Inspections

Periodic facility inspections covering the complete range of police unit activity will be conducted by the Police Division Inspections Unit with the support of other Police Division sections as may be required. In addition, each of the functional sections may be required to conduct formal staff inspections of a particular area within a facility operation.

III. AREAS OF INSPECTION

An outline of the key areas to be reviewed in a formal full range facility inspection has been developed and issued to all commands, however, any other areas deemed appropriate by the Inspections Unit, may be included in such an inspection. The key subject matter falls into 14 major categories:

1. Leadership

a. Commanding Officer

This area measures the Commanding Officer's ability to instill in his subordinates a sense of professionalism, loyalty, dedication to duty and willingness to accept responsibility. Judgment, job knowledge, poise, initiative and decision making are some of the key characteristics measured.

b. Morale

Although morale is an intangible and difficult to measure, the enthusiasm with which officers perform tasks is an indication of the level of morale of the police unit.

c. Quality of Supervision

The supervisor's ability to have orders promptly obeyed; the quality of reports submitted by both the supervisor and his subordinates; the patrol function of the supervisor, preparation of complaints and commendations, and response to incidents, are some of the areas measured.

2. Manpower Utilization

The effectiveness of the distribution of the facility staff is measured in this area. Such areas as tour staffing; patrol assignments; and port coverage are evaluated.

3. Personal Appearance

Adherence by facility personnel to the uniform and equipment standards specified in the Police Division Instructions, during roll call inspections, semi-annual inspections, and spot inspections, are reviewed.

4. Disciplinea. Supervisory Complaints

A complete review of all local supervisory complaint reports is conducted. The discipline preferred by Commanding Officers in each case during a specific period; the number of cases appealed; and corrective measures taken to prevent re-occurrence, are evaluated.

b. Civilian Complaints

The number and type of civilian complaints filed against members of the command during a specific period are evaluated. The type of follow-up investigation conducted and the type of corrective action taken, if warranted, is analyzed.

5. Sick Absences

An evaluation is made of:

- a. number of sick and IOD occasions per man;
- b. number of sick and IOD days per man;
- c. number of sick and IOD occasions per facility;
- d. number of sick and IOD days per facility;
- e. number of sick leave interviews conducted;
- f. number of men placed on I pay and no pay status.

6. Overtime

The purpose of this inspection is to determine if the command has adequate procedures or safeguards to prevent overtime abuses.

7. Court Appearances

The areas of review in this category include the personal appearance of officers while in court; court sign-in and sign-out procedures, an inspection of facility court records to insure accuracy and completeness.

8. Anti-Corruption

The Anti-Corruption program established by the Commanding Officer is evaluated to determine the effectiveness of:

- a. the facility police officer education program;
- b. the tenant education program.

9. Equipment

a. Records

Records of the condition, sufficiency, maintenance and use of all equipment assigned to the police unit are examined to insure that the effectiveness of the police unit is maintained.

b. Safety

Motor vehicle accidents and employee injuries of the facility; the measures taken to prevent re-occurrence of accidents; and facility safety training programs, are evaluated.

10. Patrol Coverage

a. Response to Emergencies

The manner and speed of police response to incidents; the deployment of the patrol force in areas of need; and facility crime prevention programs, are evaluated.

b. Condition of Facility

This category refers to the undesirables who tend to frequent some facilities. The area is inspected for derelicts, peddlers, loiterers, etc., and an evaluation is made of the facility procedures adopted to cope with the problem.

c. Enforcement

The number and type of summonses issued for a certain period are evaluated to determine the effectiveness of the enforcement program of the facility.

d. Traffic Control

An evaluation is conducted of the effectiveness in handling traffic congestion at the facility; the use of selective enforcement to reduce violations; and liaison with other agencies (municipal, state, etc.) for the control of traffic congestion.

e. Crime Analysis

A comparison of Criminal Complaint Reports and summonses issued for a twelve (12) month period are compared to the same period the previous year.

A comparison of arrests for the same period is also completed. An evaluation of the effectiveness of the patrol program of the facility is then made and deficiencies pinpointed.

11. Records

All the records of the facility Police Unit are examined to insure that they are complete, up to date, and are prepared in accordance with existing P. D. I'd, and rules and regulations.

12. Quarters.

The neatness, cleanliness and sufficiency of facility police buildings, locker rooms, cells, clerical and desk areas, reserve rooms, kitchens, parking areas, etc., are inspected to insure that they are maintained according to established standards.

13. Training

Facility roll call training as well as formal facility training programs are evaluated for effectiveness and currency.

14. Emergency Plans

The emergency plans of the facility and their currency and availability; familiarity of facility personnel with the plans and their implementation; and precautions to safeguard vulnerable areas, are areas to be reviewed.

IV. COMPLETED STAFF INSPECTION REPORT

At the completion of the facility inspection, the inspections team will complete a detailed report enumerating their findings and recommendations to be forwarded to the Superintendent of Police. The report will also be reviewed with the facility Commanding Officer so that deficiencies if any, can be corrected.

I. INTRODUCTION

Port Authority police personnel are required to perform various unique duties in addition to their normal police assignments. In order that such duties be carried out in the proper manner and to insure an available supply of trained personnel. Training classes are conducted from time-to time as the need arises. This instruction sets forth the forms used to record qualifications and the manner in which the forms will be maintained. It applies to all special training classes attended by police personnel. In addition, a procedure is established to control the issuance, receipt, and return of Port Authority property by police personnel.

II. RECORDS

A. Qualification Notice, Form 1782

This form certifies satisfactory completion of a training program. It is signed by the person authorized to conduct the training program.

B. Qualifications Record, Form 1820

1. Items listed are common to most police personnel, but do not reflect every facility need of this type. Additional qualifications will be entered on an individual's card when the necessary training has been satisfactorily completed. Entries are made in ink.
2. Definition, of special training terms:
 - a. "Airport" includes training in crash crews and associated fire fighting duties.
 - b. "Desk" includes training in preparation of roll calls, traffic records, accident reports, summons reports, police blotter and similar records, along with a working knowledge of Port Authority Instructions, Police Division Instructions, etc., and their application to police desk assignments.
 - c. "Information Center (CD)" includes training in location of and having specific duties related to the operation of a Civil Defense Information Center.

C. Clothing and Equipment Record, Form 548

This form is used to record the issue, receipt, and return of Port Authority property. All outstanding items are chargeable to the individual whose name appears thereon. Entries are made in ink.

III. REPORTING QUALIFICATION

- A. The Police Academy individual charged with the responsibility of conducting a training program prepares Form 1782 for every police employee who has satisfactorily completed a training program and forwards it to the Police Commanding Officer at the facility to which the employee is assigned, retaining a copy in the Academy files.
- B. Upon receipt of Form 1782, The Police Commanding Officer posts the information contained thereon to Form 1820. Form 1782 is checked in the space provided to indicate posting and forwarded to the Police Division for inclusion in the employee's career file. A copy will, be sent to the Personnel Department for retention in the Personnel file.

IV. LOCATION OF RECORDS

- A. Form 1820 is prepared for all police personnel and is kept on file at the officers facility and the Academy file. When an employee is permanently transferred or temporarily transferred for a prolonged period, the form is forwarded to the facility concerned.
- B. Form 548 is prepared for all police personnel and is filed in the facility personnel folder. It is forwarded to another facility only if the employee is permanently transferred.

V. RECORDING ISSUE AND RETURN OF CLOTHING-AND/OR EQUIPMENT

- A. At the time of issuance, the person responsible for assigning Port Authority clothing and/or equipment secures a receipt on the reverse side of Form 548.
- B. Acknowledgement of return of clothing and/or equipment is recorded on the respective employee's Form 548 by the person receiving such property for the Port Authority.
- C. On separation, Form 548 is examined by employee's immediate supervisor to insure return of Port Authority property and the proper notation is made on Surrender of Port Authority Equipment, Form 646. Form 548 is forwarded to Records Section, Personnel Department, for inclusion in respective personnel file jacket.



POLICE OPERATIONS MANUAL

USE OF BATON AND BILLY

PURPOSE:

To provide members of the force with guidelines on the use of police batons and billys.

POLICY:

The authorized baton and billy are defensive weapons and will be used only in a manner consistent with the Police Academy training. These weapons may be needed for blocking to subdue a resistant person, or to counter force used by a subject, use must be limited and justifiable.

Police officers may not use any more force than is necessary to overcome the resistance that is met. In addition, an officer is permitted to use only the minimum amount of force, which is necessary to safely bring a situation under control, and/or effect an arrest. An officer may be criminally and/or civilly responsible for his/her actions if excessive force is utilized.

PROCEDURE:

Verbal persuasion, verbal warnings, assistance of other police officers, and learned compliance holds or defensive tactics will be utilized when feasible prior to the use of the baton or billy.

Baton or billy strikes are not to be intentionally directed to the head, neck internal organs, genitalia or spinal column except in situations where deadly force is warranted.

In unusual circumstances where an object other than an authorized weapon is used in applying necessary force, the officer will submit a detailed report to the Tour Commander at the time of the incident.

RESPONSIBILITY FOR EQUIPMENT:

Upon successful completion of the Police Academy curriculum, each member of the force will be issued a baton and will be responsible for its maintenance. In the event of loss, the baton will be replaced at the officer's expense. The replacement baton must be of the same color, length, weight and diameter listed below. Upon termination of service, the baton must be returned to the equipment sergeant, at Police Headquarters.

Billys are authorized but not issued and must be purchased by the individual officer in conformance with the specifications listed below

Baton

Length _____ Not less than 24" and not to exceed 26".
Weight _____ Not to exceed 22 ounces.
Material _____ Wood, plastic, fiberglass.
Color _____ Brown/Black
Diameter _____ Not to exceed 13/8".

PR24 Side - Handled Baton*

Length _____ Not less than 24" and not to exceed 26".
Weight _____ Not to exceed 27 ounces.
Material _____ Polycarbonate
Color _____ Black
Diameter _____ Not to exceed 1 1/2".

Billy

Material _____ Wood or
Hard rubber with a center steel rod.
Weight _____ Not to exceed 14 ounces.
Length _____ Not to exceed 11".
Color _____ Brown/Black

*Note - The PR-24 baton will only be carried by members of the force trained and certified in the use of the PR-24 by the Port Authority Police Academy.

CARRYING OF BATON/BILLY

All uniformed members of the force are required to carry the regulation baton while on duty unless otherwise authorized by the Commanding Officer or Tour Commander.

- The baton will be worn on the side opposite the gun holster.
- The carrying of the police balm/billy with the leather thong looped around the grip of the revolver is prohibited.
- The baton will be carried in a black plastic or metal ring or black leather holder, or carried in the hand.
- The Billy, if carried, must be carried in the designated rear pocket
- Inside a police vehicle the baton/billy will be kept accessible, but safe guarded
- The baton/billy will be carried by the officer upon exiting their vehicle.

The baton will be seared out of reach in circumstances similar to but not limited to the following:

- When interviewing persons inside a police facility.
- During the arrest process.
- When directed by a police supervisor.

Uniformed members of the force not assigned to patrol duties or members of the force assigned to plain clothes or detective responsibilities may carry a baton or billy subject to operating procedure as determined by the commanding officer or unit commander.

ROLL CALL

The supervisor conducting roll call will:

- Inspect the officers for adherence to the authorized type baton and billy.
- Ensure compliance with all provisions as outlined.

INJURIES:

If, as a result of police use of force and/or the baton or billy, a subject sustains an injury, complains of an injury or requests medical treatment, the Tour Commander will be notified, and the subject will be transported via ambulance to a hospital for medical treatment.

Subject: Use of Baton and Billy

P.O.I. 4-8

Issued September 21, 1992

Page 4 of 4

Revised: August 1992

Effective: October 1992

If a subject refuses medical treatment, the officer will note the refusal on the aided report and request the subject to sign the report. If the subject refuses to sign the report, note the refusal, and have Tour Commander or designee verify the refusal.

REPORTING REQUIREMENTS:

The Tour Commander will be notified when a subject sustains an injury, complains of an injury, or requests medical treatment as a result of the use of the baton, billy, or other force. The reason and circumstances for the use of force will be prepared by the member in writing as outlined in POI. 5-10, "Use of Non-Deadly Force. The report will be submitted to the Commanding Officer for review by the Tour Commander and the officer's immediate supervisor. The uses of weapons including the baton or billy are subject to the requirements contained in ROI 5-10, "Use of Non-Deadly Force" and P.O.1. 5-9, "Use of Deadly Force."

By order of:



Director, Public Safety Department
Superintendent of Police



POLICE OPERATIONS MANUAL

OLEORESIN CAPSICUM (OC) / "PEPPER SPRAY" DEVICES

PURPOSE

This instruction will establish guidelines for the use of Oleoresin Capsicum "OC" also known as "Pepper Spray."

POLICY

This department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the Policy of this department to authorize the use of "OC" as a use-of force-option for gaining compliance of resistant or aggressive individuals when such force is necessary and appropriate. Members of the Force will use "OC" Spray in accordance with the guidelines and procedures set forth in this instruction as well as the guidelines set forth in P.O.I. 5-10 (Use of Non-Deadly Force).

DEFINITIONS

Oleoresin Capsicum (OC): is the natural extraction from the cayenne pepper plant. It causes temporary swelling of mucus membranes of the eyes and airways, thereby incapacitating subjects by limiting vision and making breathing difficult. "OC" requires little decontamination.

PROCEDURE:

1. Authorization
 - a. Only members of the force who have completed the prescribed Police Academy course of instruction are authorized to carry this device.
 - b. Members of the Force will only carry departmental issued "OC."
 2. "OC" may be used
-

- a. When physical force is necessary in a manner consistent with P.O.I. 5-10.
- b. Only after a verbal warning unless it is impractical, unreasonable or dangerous to do so.
- c. To deter an animal that represents a threat to public safety (P.O.I. 5-9).

3. Prohibited use

- a. "OC" is not authorized for use off-duty.
- b. "OC" will not be used on subjects who passively resist arrest. (Subject intentionally becomes limp/offers no physical resistance).
- c. "OC" will not be used on subjects who are elderly, young children, pregnant women or persons with known disability or respiratory conditions, unless they pose a substantial risk of injury to the officer or to the public.
- d. "OC" will not be used once the active resistance has ceased.
- e. "OC" will not be used for any illicit or unlawful purpose, such as a means of punishment or interrogation.

4. Justification for Use of Deadly Force (P.O.I. 5-9)

It must be underscored that the use of "OC" against a Member of the Force in and of itself **is not** deadly physical force.

Prior to using Deadly Physical Force, an officer must reasonably believe that the use of deadly physical force is necessary to:

- Defend the officer or a third person from what the officer reasonably believes to be the use or imminent use of deadly physical force;
- or
- Prevent the escape of a fleeing felon when the officer has probable cause to believe that the fleeing felon poses an immediate threat to life or serious physical injury, either to the officer or to other persons. (P.O.I. 5-9)

5. Effects of "OC" and Officers Response

- a. Within several seconds of being sprayed by "OC" a subject will display symptoms of temporary blindness, have difficulty breathing, burning
-

sensation in the throat and nausea.

- b. The effects of "OC" vary among individuals, therefore all subjects will be handcuffed as soon as possible after being sprayed.
- c. Members of the force should be alert to any indications that the individual needs medical assistance.
- d. The contaminated subject should, as soon as practicable, be exposed to fresh air and eyes flushed with copious amounts of water. The subject should be advised to remove contact lenses.
- e. Inform the individual **not** to rub the affected area or apply salves, creams or commercial eye washes.
- f. Officers shall closely monitor sprayed subjects and immediately summon medical attention if the sprayed subject exhibits any of the following conditions;
 - i. breathing difficulties, sweats profusely, or loses consciousness
 - ii. still significantly suffers from the effects of "OC" more than 20 minutes after being sprayed
 - or
 - iii. the sprayed subject requests medical attention.
- g. Subject sprayed should be encouraged to relax and wait for the symptoms to dissipate.
- h. Replace clothing affected by "OC," if necessary.

6. Reporting Procedures

- a. A supervisor will be informed as soon as possible.
 - b. All pertinent departmental or municipal use-of-force reports are to be completed as required.
 - c. In all cases, whether medical attention is required or not, an aided report will be completed in addition to any other required reports.
 - d. The letters "OC" followed by the serial number of the canister will be
-

written in the upper left hand corner of the Criminal Complaint Report/Aided Report. An explanation of why "OC" was used will be articulated in the narrative portion of the CCR/Aided Report.

- e. When a subject is transferred to the custody of another authority, (e.g. local jail or hospital) the receiving authority must be advised that the subject has been exposed to "OC."

7. Inspection of "OC" Canisters

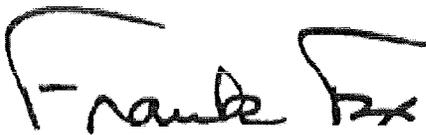
- a. Spot checks of "OC" canisters will be made by the ranking superior officer or his/her designee, at each roll call formation. The inspecting supervisor will check the canister for dents, debris or other problems that might render the canister inoperative. The serial number on the canister will be placed on the master roll call next to the officer's name and initialed by the inspecting supervisor.

8. Replacement of "OC" Spray

- a. When replacement is required (less than 1/2 of the product remains) a brief handwritten report and the canister will be submitted to the Commanding Officer. A replacement canister will be issued at the command from a supply provided by Police Headquarters.

9. Disposal of Spent Canisters

- a. Commands will return spent canisters to the Police Equipment Sergeant at Police Headquarters. Spent canisters will be replaced one for one by the Equipment Sergeant.
- b. The Police Headquarters Equipment Sergeant will dispose of all spent canisters. Prior to discarding a used canister, the remaining product will be emptied in the approved manner. Once the canister has been emptied, it will be disposed of in the same manner in which any aerosol can is disposed.



Acting Superintendent of Police
Public Safety Department

To: All Members of the Force



INTERIM ORDER

I. PURPOSE:

Establish standardized guidelines and procedures governing the use of the Mobile Data Terminals in compliance with all State, National, and departmental guidelines and policies.

II. DEFINITIONS:

MEMBER OF
THE SERVICE

Any active member of the Port Authority Police Force.

TAC

Terminal Agency Coordinator. CPD Sergeant who is the Liaison between the State Police and this department.

ALTERNATE
TAC

Assists the Terminal Agency Coordinator in discharging his/her duties.

SECURITY
OFFICER

A Police Supervisor -charged with the responsibility of systems security as well as physical security for the MDT at the local command level.

POLICE
SUPERVISOR
MDT

Any Police Officer with a rank of Sergeant or above.

Mobile Data Terminal. A 586 Pentium Laptop Computer Terminal, which transmits signals via an 800 Megahertz (MHz) radio with the assistance of a modem, also known as a Radio Data Interface, installed in Patrol Cars for speedy access to the State and National Crime Information Systems, as well as the DMV Data Bases.

To: All Members of the Force

800 MHZ

Megahertz Radio System via which the MDT transmits and receives all data.

CAD

Computer Aided Dispatch. A Port Authority Police Data Base used for dispatching police units. It also serves as host to both the NYSPIN and NJCJIS Interface, as the switching station for the MDT System.

CPD

CENTRAL POLICE DESK. Located at Journal Square Transportation Center in Jersey City, New Jersey, houses the Port Authority Police Telecommunications Unit.

PATC

Port Authority Technical Center. Located in Jersey City, New Jersey, houses the CAD Mainframe.

NCIC

NATIONAL CRIME INFORMATION CENTER. The mainframe is located in Washington, DC. The system manager is the Federal Bureau of Investigation. NCIC stores all reported criminal information, including stolen vehicle and wanted person information.

NYSPIN

NEW YORK STATE POLICE INFORMATION SYSTEM. The mainframe is located in Albany, New York. The system manager is the New York State Police. As with NCIC, NYSPIN stores any reported criminal information, including stolen vehicle and wanted person information. NYSPIN also serves as a switching station to various other Data Bases in the State and the Nation.

DCJS

DIVISION of CRIMINAL JUSTICE SERVICES. The mainframe is located in Albany, New York. The system manager is the Division of Criminal Justice. The system is the repository for all criminal history information, as reported. This system also stores wanted person/missing person information.

NJCJIS

NEW JERSEY CRIMINAL JUSTICE INFORMATION SYSTEM. The mainframe is located in Trenton, New Jersey. The system manager is the New Jersey State Police. This system is the counterpart to the NYSPIN system in New Jersey. Unlike The NYSPIN system it also stores reported criminal history information.

NLETS

NATIONAL LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM. This is a self-governed system, which facilitates communications between the law enforcement community in the continental United States, its territories and Canada.

DMV

Department of Motor Vehicle. A self-governing agency in the states of New York and New Jersey. The agency manages all driver, vehicle and boat registration information in its respective states.

SCIC

STATE CRIMINAL INFORMATION CENTER. For the purposes of the MDT, it is the transaction code used to access the NCIC files via the New Jersey system (NJCJIS).

RQ

Registration Query. The transaction code used to access DMV information via the New Jersey system (NJCJIS).

DQ

Driver Query. The transaction code used to access DMV information via the New Jersey system (NJCJIS).

QW

Query of Wanted Person. The transaction code used to access the wanted person files via the New Jersey system (NJCJIS).

QV

Query of Stolen Vehicle or License Plate files via the New Jersey system (NJCJIS).

To: All Members of the Force

HIT

A positive response to an inquiry made of the NCIC files, either of a person or property.

HIT

CONFIRMATION

A request from one agency to another regarding a positive response to a person or a piece of property.

HIT

CONFIRMATION
RESPONSE

A reply from one agency to another indicating the validity of positive response.

III. PROCEDURE:

Commands equipped with Mobile Data Terminals will be responsible for the security of the equipment and any and all information obtained via the system.

A. HEADQUOTRS

1. TERMINAL AGENCY COORDINATOR:

- a. The Terminal Agency Coordinator is responsible for the training and certification of all MDT Operators. In addition, the TAC is also responsible for biennial recertification of all operators.
- b. Will issue every MDT operator an Officer ID and Password.
- c. Will communicate any and all changes, including communications from the states (i.e., newsletters) to all command Security Officers.
- d. Will conduct periodic spot inspections of all MDT's throughout the year.

B. COMMAND LEVEL

1. COOMANDIG OFFICER:

Each Commanding Officer will be responsible for maintaining a record keeping system as prescribed below:

A LOG FOR EVERY MDT WILL BE MAINTAINED INDICATING THE FOLLOWING:

- vehicle assigned to
- date and time signed out

To: All Members of the Force

- officer assigned (operator)
- duty Tour Commander
- remarks, i.e., any problems with the system.

SAMPLE

VEHICLE NUM.	DATE	TIME	OFFICER	OUT OF SERVICE	BACK IN SERVICE	TOUR COMMANDER	REMARKS
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2. The Commanding Officer will designate a Systems Security Officer who will maintain a list of all authorized users and their passwords. Said list, generated by the Department's Terminal Agency Coordinator (TAC), will be KEPT UNDER LOCK AND KEY at all times.

3. SECURITY OFFICER:

The Security Officer will ensure that:

- Only authorized personnel operate the equipment.
- Whenever the need arises to change a member's password, the Security Officer will communicate with the TAC. In the event the TAC is not available, contact should be made with the Alternate TAC as soon as possible.
- The Security Officer will also conduct periodic inspections to assure that all security measures are being followed.
- Submit detailed systems malfunction reports to the TAC.

4. PATROL SUPERVISORS

Patrol supervisors will ensure that:

- Only authorized personnel operate the equipment.
- Conduct periodic inspections to assure that all security measures are being followed.

- Will inspect memorandum book entries as prescribed in PDI 7-8, Part IV, and Sec.A.10. "Scheduled inspections of memorandum books will be made at each roll call, or during tours of duty".

5. MEMBER OF THE SERVICE

Each Member of the Service will be responsible for logging each transaction in his/her Memo book indicating the following information:

- Date and time logged onto the system
- Type of transaction performed, the results, and action(s) taken, (i.e., vehicle registration inquiry with positive NCIC results, one arrest made. Also included must be the Case Number assigned to the incident (i.e., CN/K961234).
- Indicate the agency initiating the alarm or warrant, their case number (OCA - Originating Case Agency number).
- Upon receiving a POSITIVE HIT, the officer will request his/her communications desk to process the information again through the CAD Interface and request that the HIT CONFIRMATION (active alarm verification status) process be commenced immediately. A HIT ALONE DOES NOT CONSTITUTE PROBABLE CAUSE TO ARREST.

NOTE: NCIC REQUIRES IMMEDIATE CONFIRMATION AND ALLOWS 10 MINUTES FOR A REPLY UNDER NORMAL CIRCUMSTANCES.

- Upon receiving an indication that the subject of a driver license inquiry is suspended, he/she will contact their communications desk and furnish all information necessary to perform an inquiry via the CAD Interface to obtain a HARDCOPY of the suspensions.

To: All Members of the Force

- All memorandum book entries relevant to MDT transactions shall be retained for the amount of time as specified in PDI 7-8 Part IV, Sec. A.10 "Completed insert pads shall be retained by the officers for a twenty- four month period".

C. PHYSICAL SECURITY

The MDT will always be shielded from public view. In cases where there are non-law enforcement officers in the vehicle, the MDT's screen must be in a position so as to prevent anyone from viewing it. Two arm supports have been installed on all MDT screens to protect the screen and provide strong support while in use. These arm supports can be used as stops when bringing the screens down to prevent any unauthorized viewing.

NOTE: Prior to leaving the patrol vehicle, the officer will sign off the system and turn it off. This is to be done at all times, particularly when going off duty or on a meal/relief. REMEMBER, SECURITY BEGINS WITH YOU.

D. SYSTEM SECURITY

All information obtained through the MDT will be handled in the strictest of confidence. In addition, all the following will be adhered to:

- In accordance with State and National Policies, all information obtained via the MDT will be used for CRIMINAL JUSTICE PURPOSES ONLY. Use of the system for other than criminal justice purposes can result in criminal prosecution and/or disciplinary action with a recommendation for dismissal.
- Dissemination of information will be restricted to law enforcement or criminal justice personnel for criminal justice purposes.
- Second party dissemination is only allowed via official police reports.
- These security measures do not supersede measures outlined in both State's Operating Manuals.

To: All Members of the Force

E. EQUIPMENT MAINTENANCE:

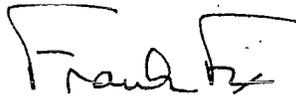
In order to maintain the MDT in optimum performance condition, the following guidelines will be adhered to:

- Only authorized Vendor and/or Port Authority Radio Service Technicians will perform any and all repairs and maintenance of the MDT.
- In the event that a Unit malfunctions, for any reason, the CPD will be notified by the operator of the unit or a Local Command Communications Desk Officer. The duty CPD Sergeant will immediately notify the Radio Service Shop and inform them of the matter in order that repairs are performed as soon as possible.
- Under no circumstance is any member of the force to perform any type of maintenance, repairs, or any modification to any MDT unit.

The procedures outlined in this Interim Order will be adhered to by ALL MEMBERS of the force who are trained to operate the Mobile Data Terminal (MDT) devices.

This Interim Order shall remain in effect until such time that a Police Operations Instruction (POI) is published concerning Mobile Data Terminals.

By order of:



Frank Fox
Chief of Department



INTERIM ORDER

- I. PURPOSE: The purpose of this instruction is to provide guidelines for speedometer testing of police vehicles used in pacing speeders. Since courts require that tests be made periodically to ensure the accuracy of speedometers of police vehicles, a vehicle speedometer test, simulating road-driving conditions will be performed.
- II. POLICY: Commanding Officers will ensure that the following guidelines are followed relative to the calibration of police vehicles.
- A. Each Master Speedometer Unit and the speedometer of each police vehicle will be tested every forty-five (45) to sixty (60) days. Commanding Officers will be responsible for the scheduling of speedometer testing, as courts require that police vehicles be tested for speed accuracy. Courts also require that contested speeding summons be supported by an Agency Certification Form indicating the test dates prior and after the date the summons was issued.
 - B. A vehicle, which has been out of service for repairs related to the speedometer, will be tested before it is returned to a pacing speed enforcement mode.
 - C. A new vehicle will be tested before it is used for pacing speed enforcement.
 - D. A decommissioned vehicle will be tested before leaving a command. This is to assure continuity of records for court purposes.
- III. DEFINITIONS:
- Calibrate: To check, adjust, or systematically standardize the graduations of a quantitative measuring instrument (SPEEDOMETER).
 - Clayton Industries: Manufacturer of the police vehicle odometer-testing machine.
 - Master Speedometer

Testing Machine: The Master Speedometer Testing Machine is a roller- type speedometer tester. Included with this machine is a master head and odometer mounted on a stand positioned so that the testing and witnessing officers may readily observe the readings. This test simulates road-driving conditions and will eliminate errors such as: inaccurate or improperly calibrated speedometers, worn or incorrect size tires, or any problem that might be related to electronic sensors in the vehicle. •

RPM: Revolutions Per Minute

Portable Tachometer: Portable Unit that measures the RPM of the master testing unit.

Synchronous

Motor: A unit component used to check the accuracy of the portable tachometer

IV. PROCEDURE

A. MASTER SPEEDOMETER ACCURACY TESTING

All Master Speedometer accuracy testing will be performed as outlined in APPENDIX I and recorded in the Speedometer Test Record (PA 1815).

Refer to Attachment I

B. VEHICLE SPEEDOMETER TESTING

Only police sedans and station wagons will be calibrated by qualified officers using the testing equipment. All police vehicle speedometer testing will be performed as outlined in APPENDIX II and recorded on Speedometer Test Record (PA1815).

Refer to Attachment 2

C. TESTING OFFICERS' TRAINING AND QUALIFICATIONS

Testing officers will be trained and qualified in the operation of the Master Speedometer Testing Unit by the staff of the Police Academy.

V. TEST RECORDS MANAGEMENT

The following forms must be completed and filed at the command and retained until all speeding summonses based on that particular record are disposed of by the court:

- A. Form #1815 - Speedometer Test Record (original only)
- B. Form #2415 - Master Speedometer Calibration Certificate (duplicate - garage, command file)
- C. In cases where a vehicle is transferred temporarily or permanently from one command to another, the Speedometer Test Record (Form #1815) must accompany the car.
- D. Certification of Calibration, Form PA 1815A. Since this form is designed to be a true copy of the data contained on the Speedometer Test Record (Form PA 1815), the following must be adhered to:
 - a. care must be exercised in its preparation in order to ensure that all the information is correctly transcribed and,
 - b. the Certification Form must be verified and signed by a supervising officer.

NOTE: The officer issuing a speeding summons must have the "Certification Form," PA 1815A, in his/her possession when appearing in New York Courts and PA 1815 in New Jersey Courts; however, he/she should present the form as evidence only when requested. If the testing officer is required to appear in court and if asked to describe the vehicle speedometer test, the following statement will be made:

"We use a roller-type speedometer tester. The vehicle is positioned onto a set of rollers positioning the rear wheels between them. The rear wheels of the vehicle are started in a forward motion to simulate road driving. The speedometer of the vehicle is then checked against the master head of the testing machine at speeds of from 20 - 80 MPH. If the speedometer does not exceed a tolerance of plus or minus 2 MPH under 50 MPH or 3 MPH over 50 MPH against the master head, the vehicle speedometer is considered accurate."

VI. CARE AND SECURITY OF TEST EQUIPMENT

Commands will exercise adequate control to ensure the proper usage, careful handling, and storage of the Master Speedometer Testing Machine and the related checking instruments.

- A. Equipment will be stored in a safe location under lock and key with access to only those personnel designated by the commanding officer.
- B. All repairs to the Master Speedometer Testing Machine and related checking instruments will be performed by the manufacturer.
- C. Trucks will never be rolled over or rested on the unit rollers.
- D. Protective covers will always be in place when the machine is not in use.
- E. During inclement weather, snow, rain, etc., vehicles will not be tested.

VII. COURT APPEARANCES

The following protocol will be followed as it relates to court appearances.

A. NEW JERSEY COURTS

When a court appearance is required on a "not guilty" plea on a speeding violation, the summoning officer will appear in court with the Speedometer Test Record (PA #1815), which will verify the accuracy of the speedometer of the police vehicle used during the period the contested summons was issued.

B. NEW YORK - TRAFFIC VIOLATIONS BUREAU

When a court appearance is required on a "not guilty" plea on a speeding violation, the summoning officer will appear in court with Form PA 1815A, Certification of Calibration for the vehicle that was used during the period the contested summons was issued.

This Interim Order shall remain in effect until such time that a Police Operations Instruction (P01) is published concerning Police Vehicle Calibrations.

Subject: Police Vehicle Calibration

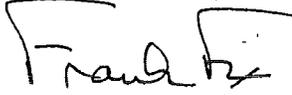
I.O. 3-97

Date: 09/10/97

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To: All Members of the Force

By order of:

A handwritten signature in black ink, appearing to read "Frank Fox". The signature is stylized with a large, bold "F" and a cursive "ox".

Frank Fox

Chief of Department

APPENDIX I

MASTER SPEEDOMETER ACCURACY TEST

- A. Connect the electric cable of the synchronous motor to an electrical receptacle to activate. Check the accuracy of the tachometer by coupling it to the shaft of the synchronous motor. The tachometer reading in RPM should have a rating (1800) of the synchronous motor to be considered accurate.
- B. The officer performing the test will check the tires of the test vehicle with an air gauge to ascertain that they are inflated to the proper pressure.
- C. The officer performing the test will activate the air valve so that the airlift pads are in the up position.
- D. Under the direction of the testing officer, the vehicle is backed onto the Master Speedometer Testing Machine making sure that front and rear wheels are in alignment.
- E. With the vehicle in position on the air lift pads, the following steps will be taken:
1. Chock front wheels of the vehicle.
 2. Activate air valve so as to lower the air pads. Secure valve so that it cannot be operated accidentally while the vehicle is in motion on the machine.
 3. Secure safety chains to rear spring shackles on both sides of vehicle.
 4. Attach flexible exhaust tube(s) to the vehicle's exhaust system.
- F. Couple the generator and odometer cables from the master head by plugging into respective receptacles on rollers.
- G. To assure safe operation, the vehicle must be accelerated and decelerated gradually. Under normal conditions, the brakes will not be used to decelerate. Do not place transmission in park position while rear wheels are moving.
- H. The officer performing the vehicle test will place the car in forward drive and operate at low speed, so that the officer witnessing the test can make a physical inspection of the rear tires for foreign objects, nails, etc.
- The witnessing officer will position himself/herself within a safe distance to avoid any injury.

To: All Members of the Force

I. The vehicle is again placed in forward drive and accelerated until a constant speed of 20 MPH is indicated on the master head. While the vehicle operator is maintaining a constant 20 MPH, the testing officer observes and records on Form #2415, the reading on the master speedometer and measures the speed of the roller by placing the tachometer against the axis of the left end of the forward roller shaft. A reading on the tachometer in RPM is obtained at 20 MPH and entered on the Form #2415 by the testing officer. This procedure will be repeated at 10 mile increments up to and including 80 MPH. Because the dial on the master head is graduated up to 60 MPH on the low range, it will be necessary to change the range switch on the back of the master head to high range to conduct the test at 70 MPH and 80 MPH.

J. On completion of the test, the tester will multiply each RPM reading by the printed constant on the Form #2415. The result in each case will be entered to the nearest tenth (10th) on the corresponding line under the heading, COMPUTED SPEED.

K. A variation of not more than plus or minus 2 MPH up to 50 MPH or not more than 3 MPH between 50 MPH and 80 MPH will indicate that the Master Speedometer Testing Machine is functioning properly. Variations in excess of these speeds require that the machine be adjusted. If the testing officer is unable to adjust the master head, the machine will require calibration by the manufacturer.

L. When test indicates that the Master Testing Machine is accurate, the tester will complete Form #2415 in duplicate and sign. Forward the original to the facility commanding officer and retain the copy for the testing file.

M. To ensure the accuracy of the Master Speedometer Testing Unit, the testing officer must rigidly adhere to the prescribed procedures and be precise in the readings he takes and the computations made.

NOTE: The above-mentioned Master Speedometer Accuracy Test is applicable to older models. Newer models should follow the above procedure; however, Sections A, and F are not applicable, and testers should follow manufacturer's specifications and guidelines.

APPENDIX II

VEHICLE SPEEDOMETER TEST PROCEDURE

- A. The officer performing the test will check the tires of the test vehicle with an air gauge to ascertain that they are inflated to the proper pressure.
- B. The testing officer will activate the air valve so that airlift pads are in the up position.
- C. Guided by the witnessing officer, the testing officer will back the test vehicle on the Master Speedometer Testing Machine, making sure that front and rear wheels are in alignment.
- D. With the vehicle in position on the air lift pads, the following steps will be taken:
1. Chock the front wheels of the vehicle.
 2. Activate air valve so as to lower air pads. Secure valve so that it cannot be operated accidentally while the vehicle is in motion on the machine.
 3. Secure safety chains to rear spring shackles on both sides of the vehicle.
 4. Attach flexible exhaust tube(s) to vehicle's exhaust system.
- E. To assure safe operation, the vehicle must be accelerated and decelerated gradually. Under normal conditions, the brakes will not be used to decelerate. Do not place transmission in park position while rear wheels are moving.
- F. The officer performing the test will place the vehicle in forward drive and operate at low speed so that the witnessing officer can make physical inspection of rear tires for foreign objects, nails, etc. The witnessing officer will position himself/herself within a safe distance to avoid any injury.
- G. With the witnessing officer occupying the seat directly behind the testing officer, the vehicle is put into forward drive to simulate road driving, and the test is begun. The readings on the master speedometer are recorded on Form #1815. The comparisons are made at 10-mile increments from 20 MPH to 80 MPH, always using the master head as the standard. Because the dial on the master head is graduated up to 60 MPH on the low range, it will be necessary to change the range switch on the back of the master head to high range to conduct the test at 70 MPH and 80 MPH.
- H. The allowable tolerance under 50 MPH is plus or minus 2 MPH. Over 50 MPH, the tolerance is plus or minus 3 MPH. Speedometer readings within the above-mentioned limits are considered accurate.

Subject: Police Vehicle Calibration

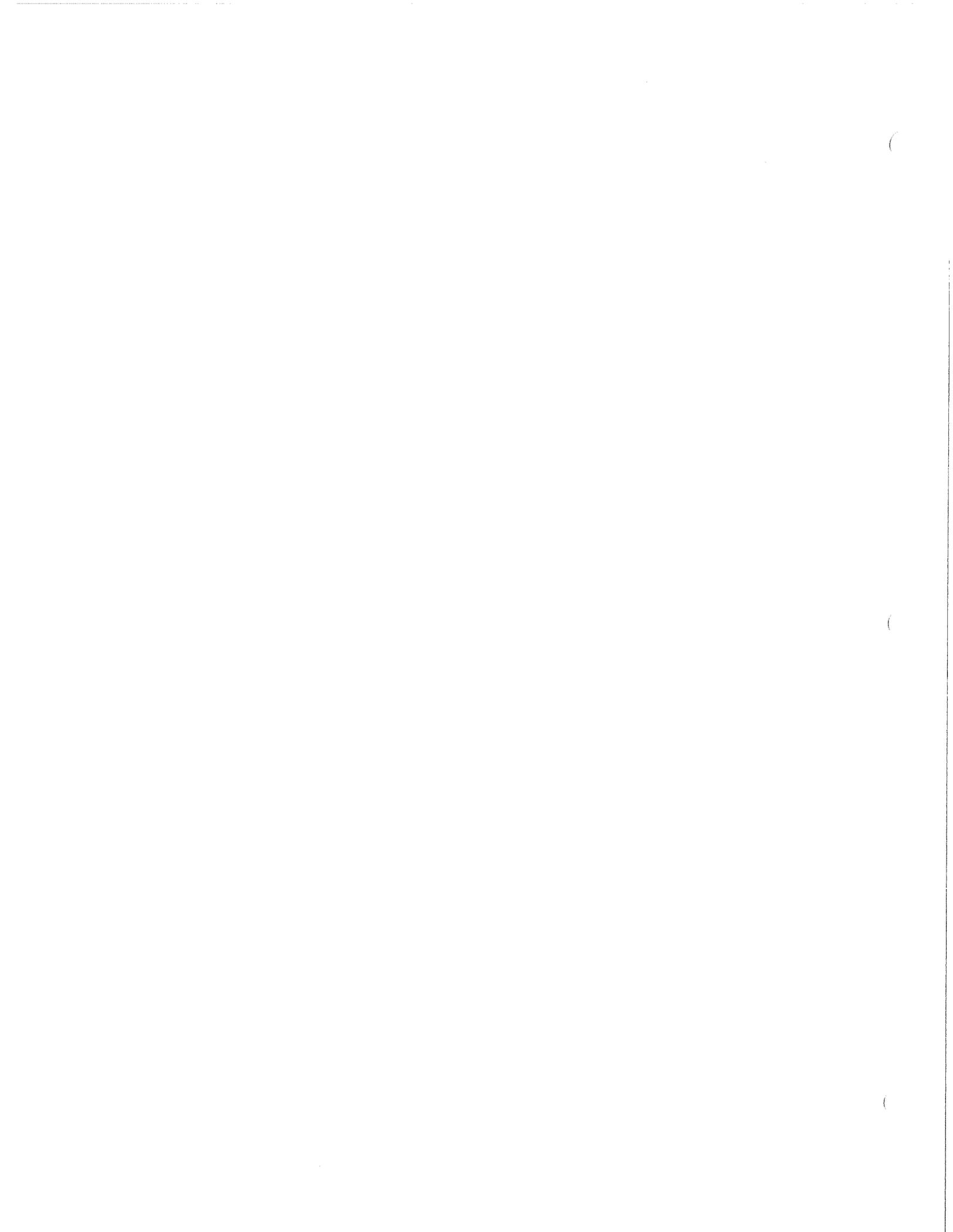
I.O. 3-97

Date: 09/10/97

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To: All Members of the Force

I. On completion of the speedometer test, if all readings are within the tolerance, the vehicle is returned to service and Form #1815 is dated and signed by the testing and witnessing officers and filed.





INTERIM ORDER

I. PURPOSE:

The purpose of this Interim Order is to establish a standardized method of issuing Official Police Vehicle Placards.

II. POLICY:

It shall be the policy of this Department that Official Police Vehicle Placards, be issued by the Director, Public Safety Department/Superintendent of Police or his designee. Placards will be issued to Commanding Officers, Criminal Investigations Bureau personnel, and other personnel working plainclothes assignments. At the discretion of the Director, Official Police Vehicle Placards will be issued to non- department personnel (i.e., other law enforcement agencies). Official Police Vehicle Placards shall be issued with a life of no more than one year. The expiration shall always be on February 1 of every year. Official Placards shall be utilized and displayed for Official Police Business only, whether displayed on an official vehicle or personal vehicle. In addition, all parking regulations shall be adhered to at all times when operationally feasible.

III. PROCEDURE:

The Chief, Police Professional Standards Section shall be the custodian of Official Police Vehicle Placards. As such, all requests for placards will be directed to him/her using the following procedure.

A. Placard Request:

All requests for Official Police Vehicle Placards will be submitted to the requesting member's Commanding Officer for approval. In the request, the member shall include the following information:

1. Member: Name, Rank, and Shield Number

To: All Commanding Officers & Official Police Placard Users

2. Vehicle: Year, Make, Model, Color, License Plate Number, State of Registry, and Port Authority Vehicle Number. In the event the placard is being requested for a personal vehicle or confidential vehicle, it must be indicated explicitly as such.
- B. Placard Processing: The following steps shall be followed prior to issuance of an Official Police Vehicle Placard.
1. Once the placard request is approved by the member's Commanding Officer, it shall be submitted to the Chief, Police Professional Standards Section for review and approval.
 2. Once approved by the Chief, Police Professional Standards Section, the request will be submitted to the Director, Public Safety Department/Superintendent of Police for final approval.
 3. Upon approval by the Director, Public Safety Department/Superintendent of Police the request shall be returned to the Chief, Professional Standards section.

NOTE: REPLACEMENT PLACARDS SHALL ONLY BE ISSUED UPON THE RETURN OF THE EXPIRED PLACARD.

IV. RECORDS MANAGEMENT:

Records management shall be the charge of the Chief, Police Professional Standards Section as outlined herein.

A. Logging Method:

1. A page numbered bond record book shall be utilized to record all information relevant to the placard including, but not limited to, the information contained in Section A, subsection 1.
2. The information shall be recorded in the following manner:
 - a. Placard sequential serialized number
 - b. Vehicle assigned to
 - c. Member rank and name
 - d. Date issued.

- B. Placard Listing: Once all placards have been issued for the year, a listing shall be compiled and submitted to the Director, Public Safety Department/Superintendent of Police. In addition, a copy shall be made available to the Central Police Desk Sergeants.

V. DESIGN AND PROCUREMENT:

Design and procurement shall be the responsibility of the Special Services Unit.

- A. Design: All lettering and graphics shall be proportionate to placard size.

1. Placard dimension shall be: 5 1/4 x 8 1/4
2. Construction: placard shall be printed on card stock paper
3. Port Authority Police color logo shall be printed on the upper left hand corner of placard following the specifications as outlined below:
4. height (crest to tip) - 2 1/4"
5. width (at widest point) - 2"
6. A hologram of similar proportion shall appear on the upper right hand corner of the placard.
7. All lettering shall be blue in color.
8. The word POLICE shall be placed adjacent to the logo in 1" bold capital letters.
9. Below "POLICE" shall appear "VEHICLE IDENTIFICATION" in 1/4" bold capital letters.
10. Immediately under the phrase "VEHICLE IDENTIFICATION" shall appear the abbreviation "No." This line shall be used to inscribe the placard's sequential serialized number.
11. Beneath the placard number shall appear the expiration date in capitalized bold letters as indicated below:

EXPIRES FEBRUARY 1, 1999

1. A warning shall appear beneath the expiration date to read as follows:

NOTE: ANY ALTERATION OR ERASURE INVALIDATES THIS UNLAWFUL TO DUPLICATE CARD

2. At the bottom of the placard shall appear in capitalized bold letters the statement:

THIS VEHICLE IS ON OFFICIAL POLICE BUSINESS

1. The reverse side shall contain a map of lower Manhattan indicating the most updated parking restricted areas as provided by the New York City Police Department. In addition, the reverse side will contain all violations the placard will not cover. Finally, the reverse side will indicate the expiration date in bold capital letters, along with the Police Headquarters telephone number.
- B. Procurement: Placard procurement shall be made via established Port Authority Guidelines and shall be the responsibility of the Special Services Unit.

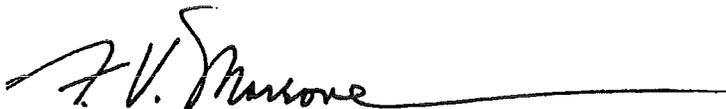
VI. LOST OR STOLEN PLACARDS:

Placards that are lost or stolen shall be reported to the Central Police Desk immediately via telephone as outlined below.

- A. A telephone call will be placed to the Central Police Desk Sergeant advising of the loss or theft of an Official Police Vehicle Placard.
- B. Once reported via telephone, a CCR shall be prepared outlining the circumstances of the loss or theft of the placard. In addition, an N.C.I.C. entry shall be prepared and faxed to the Central Police Desk - Telecommunications Unit along with the CCR in order that the placard can be entered into the N.C.I.C. System as a stolen article.

This Interim Order shall remain in effect until such time that a Police Operations Instruction (POI) is published concerning the Official Police Vehicle Placards.

By order of:



Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



INTERIM ORDER

I. PURPOSE:

The purpose of this Interim Order is to set forth guidelines for the utilization of the LiveScan Fingerprinting and On Line Booking Systems.

II. POLICY

The use of the NYPD OLBS computer will be limited to those authorized individuals only, who have received training in its use and have user ID's and passwords. All accounts (user name and passwords) are administered by the NYPD. When using the system, caution must be exercised in order to eliminate the possibility of generating invalid arrest numbers. Four LiveScan machines will be installed in conjunction with the OLBS computers. They will be utilized as follows:

- JFK — This system will be utilized by the JFK command.
- LGA — This system will be utilized by the LGA command.
- PABT — This system will be utilized by the PABT, LT and GWB commands (for NY arrests).
- WTC — This system will be utilized by the WTC, HT, PATH (for NY arrests) and Heliport commands.

The Live Scan machine should remain "on" and the scanner covers of the machine "closed" when not in use.

If the Live Scan computer becomes inoperable because of damage to the machine, particularly to the scanner platen, the vendor will replace the damaged scanner plates and deliver it to the NYCPD MISD. Any evidence of intentional damage to the machine is to be reported and investigated immediately.

- This order is not meant to supersede any existing local command arrest procedures, but to facilitate that the LiveScan/OLBS augments each local command process.
- Each affected command shall be responsible to incorporate the LiveScan/OLBS within its own local particular procedures so that the arrest processing shall be conducted efficiently.
- Every command conducting LiveScan/OLBS will establish and maintain a tracking logbook, noting the time, date, arrest number, and officers utilizing the LiveScan/OLBS. Additionally, rebooting and calibration notations will be entered into this log noting date, time and officer.
- The local password/user list shall be maintained by the Commanding Officer. Additions or deletions to the list will be administered by each Commanding Officer through the NYC Integrity Control Officer MISD.

III. PROCEDURES:

In all arrest situations whenever a prisoner is required to be fingerprinted, except bedside arraignment of a hospitalized prisoner, or a hospitalized prisoner who may be eligible for a Desk Appearance Ticket, utilize the LiveScan computerized fingerprinting system. Any questions regarding either a hospitalized or non-hospitalized prisoner will be directed to the Central Booking Supervisor.

- In the event the system goes off line the MISD Help Desk will be notified. Messages pertaining to systemwide failure and restoration are sent via the Finest Message System. During a system failure, arrest processing (printing etc.) shall be conducted in accordance with the Central Booking Supervisor's Instructions.
- The OLBS trained officer will log on to the system using his/her ID and password only. Furthermore, only he/she is authorized to use the system, under no circumstance is the ID or password to be utilized by anyone else.

To: All Members of the Force

- The LiveScan machine should be rebooted (shut off the power for 30 seconds) at the beginning of every tour. Both platens of the LiveScan machine should also be calibrated at the beginning of every tour. These events should be recorded in the LiveScan log. Refer to instructions in NYCPD LiveScan Student Guide for particulars on rebooting and calibration.
- As soon as possible after the arrest, the OLBS trained officer will generate a NYPD arrest number by completing the Arrest Log-In screen (PF1) on the OLBS computer. The OLBS trained officer will then complete the Arrest Data (PF3) screen.
- Record the check digit that appears on the OLBS terminal screen at the completion of the PF-3 data entries onto the top right corner of the OLBS arrest worksheet. The check digit is necessary for operation of the LiveScan computerized fingerprinting system and subsequent transmission of fingerprints.
- The arrest number and the check digit must be written down on the OLBS worksheet. The check digit is needed to retrieve the OLBS data for LiveScan processing. The check digit can be retrieved using BADS (**B**ooking **A**rraignment **D**isposition **S**ystem). Choose option #1, "Arrest Report Printout", enter the arrest number, place an "X" into the Livescan Resend field and press the Enter key. The arrest record will be resent to the LiveScan terminal. This will take approximately five minutes.
- Upon completion of OLBS entries (PF1/PF3) the user will immediately proceed to fingerprinting into the LiveScan system. Assuring that the system has been previously calibrated during the current tour, the user will LiveScan the prisoner by selecting "NEW LIVESCAN RECORD".
- The user will ensure that the prisoner's hands are clean and that the platens on the LiveScan machine have been cleaned with Windex and the proper cloth. NYPD recommends the use of Corn Huskers lotion, a commercially available hand lotion, if a prisoner's hands are rough or chapped.
- The user will then select the arrest processing and card types for this arrest.
- The user will then enter his/her Tax Number and Last Name.

To: All Members of the Force

- The user will now LiveScan the prisoner by selecting the "S" key or using the mouse to select the "Start Capture" option. LiveScan will prompt the user for the proper sequence of fingerprinting.
- Fingerprint plain (flat) impressions of the four (4) fingers minus the thumb on large scanner platen and the thumbs on the small scanner platen and press scan.
- When user is satisfied with the print image, the "SAVE" option will be selected. A finger can be rescanned as many times as necessary to produce a quality print before it is saved.
- Prints that are labeled MISMATCH can usually be corrected by rescanning the plain (4 finger) impression. This is generally easier than rescanning one or more of the individual fingers that are classified as mismatched.
- Prints that are labeled REJECT must be rescanned.
- The appropriate annotations must be entered when fingers are unable to be printed for any reason, such as MISSING, AMPUTATED, INJURED, SCARED. Enter NTN (nail to nail) if the print was rolled but appears narrow.
- If for any reason the LiveScan process is not completed, the prisoner's record will remain in the system if it is not deleted. To work with an existing record choose option 3, EXISTING LIVESCAN RECORDS, and use the arrow keys to select the proper arrest record.
- Fingerprint records that are more than a day old can be deleted to free up storage space on the LiveScan hard drive. This is done by choosing "Select Existing LiveScan Record". "CREATE NEW RECORD" will be highlighted. Use the arrow keys to scroll down and press the space bar to highlight a record. Highlighted records can be deleted by simultaneously pressing ALT key and D. If a highlighted record has not been transmitted, the operator will be prompted and must confirm that record's deletion.
- The LiveScan machine scanner platen Must be cleaned after each prisoner is fingerprinted. Use only authorized cleaning materials (i.e., "Windex with Ammonia D", "Lithopads").

Subject: NYPD OLBS and LiveScan

I.O. 11-00

Date: 04/28/00

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To: All Members of the Force

- When the arrest number has been generated and the prisoner has been LiveScanned, in most cases, that prisoner can be transported for Central Booking. The arresting officer can then continue with the arrest processing.

ADDITIONAL DATA

- If multiple perpetrators are arrested in concert, an arrest number must be given for each perpetrator via the Arrest Log In screen (PF1) before proceeding to the Arrest Data screen (PF3). On the PF1 screen the number of perpetrators arrested must be entered. On the subsequent PF3 screens, the related arrest numbers must be entered. This cross-references the arrests in the computer system.
- All voucher numbers must be entered into the OLBS to ensure that evidence is retained.

If there is a problem with either the OLBS or LiveScan, call the NYPD MISD Help Desk on (212) 374-3800.

By Order of:



Fred V. Morrone
for Director, Public Safety Department
Superintendent of Police

To: All Members of the Force



INTERIM ORDER

I. PURPOSE:

It is the purpose of this policy to provide officers with guidelines for the use of Mobile Video and Audio recording equipment. ("MVR")

II. POLICY:

- A. The Public Safety Department encourages the use of helpful technology to enhance its law enforcement mission and to better evaluate the training and safety of officers. The use of MVR will serve to further both of these aims.
- B. All recorded images, copies thereof or any materials related thereto generated as a result of the use of MVR shall be subject to release only as provided herein or as required by law and/or court order. No recorded images, copies or related materials shall be released without prior notification to the Director of the Public Safety Department or his designee.

III. PROCEDURES

Officers will adhere to the following procedures when utilizing MVR equipment:

- A. Equipment installed in a patrol vehicle is the responsibility of the officer(s) assigned to that vehicle.
- B. At the start of each shift the supervisor and officer assigned to an MVR equipped vehicle will enter into the Video Log Book;
 - Vehicle number
 - Date used
 - Tour
 - Video Tape Serial Number (additional video tape serial numbers if replaced)
 - Supervisors name and signature at start of tour:

To: All Members of the Force

- Officers name and signature
- Ending (remaining minutes of the previous tour)
- Ending (remaining) minutes of current tour
- Remarks
- Supervisor name and signature at end of tour

The Video Log Book is used to keep track of tapes that are currently in use:

- Prior to undertaking normal patrol duties, or as soon as possible, the assigned officer(s) will.
- Ensure that the equipment is in good and proper working order, including the audio transmitter
- Report any problems to the appropriate supervisor as soon as possible

The officer will:

- Verbally log onto the tape, stating name, time, date, and vehicle number
- Enter the beginning remaining minutes on the tape, and the beginning mileage on the odometer, onto the Activity Sheet
- Use the Activity Sheet to document the Officers use of the MVR and any footage, which he/she feels, needs to be identified as possible evidence

All Police Officers will note in their memo books, and Activity Sheets:

- Any and all times the MVR is activated, deactivated, and the events surrounding each occurrence
- The time the MVR is powered down at the end of the tour

- C. The MVR equipment must be able to record traffic stops and other enforcement action. The camera must be positioned to record these types of incidents.
- D. The recording equipment will be set to automatically activate when the vehicle's emergency warning devices are in operation. However the unit can be manually activated without overhead lights.

- E. The MVR equipment will remain activated until the traffic stop or other enforcement action has been completed.
- F. The recording equipment may be manually deactivated during non-enforcement activities such as while protecting an accident scene from other vehicular traffic. The intent and purpose of any deactivation must be noted into the microphone prior to deactivation and also noted in the Police Officers memo book and Activity Sheet. Activity sheets will be submitted to the Tour Commander at the end of each tour the MVR is utilized for command recordkeeping. The Tour Commander will forward a copy of all Activity Sheets to the Commanding Officer.
- G. When equipped, an officer will activate the audio transmitter manually to provide narration with the video recording to explain the reason for current or planned enforcement action. In the event the Audio Transmitter is out of service or not available, the officer will note that fact in his/her memo book and Activity Sheet.
- H. The MVR equipment will also be manually activated, if not already activated, during the interviewing of suspects, during sobriety checks, when an individual is placed in custody or when the officer feels it necessary to record an incident.
- I. Members of the Force shall not erase, reuse or, in any other manner, alter the video/audio tape recordings, except in accordance with the policies set forth in this order.
- J. The only tapes that will be used are tapes issued by the department. These six (6) hour T-120 tapes will be retrieved by the Supervisor when needed from the MVR storage area. At the beginning and end of each shift, the tape assigned to a particular vehicle will be checked for the time remaining on the tape. The supervisor will be notified if there is thirty (30) minutes or less remaining. If there is thirty (30) minutes or less remaining, the supervisor will then issue a new tape. The used tape will be marked with the date and the name of the Supervisor removing it. The supervisor will then follow the procedures for the storing of the video/audio tapes in accordance with this order for the securing of tapes for the 120-day retention period.

- K. If a tape memorializes an incident that led to an arrest, the issuance of a summons that has or may result in a citizen complaint against a police officer, that fact shall be noted in the officer's Activity Sheet and in the officer's memobook, referencing the time, date, vehicle number and serial number of the tape in use at the time of the incident. The officer will notify a supervisor who will remove, log and preserve the tape to evidence storage.

IV. Tape Management and Control

- A. All video/audio tapes that contain recordings made from the use of the MVR mounted in a police vehicle shall be logged in the facility VIDEO LOGBOOK and the VIDEO TAPE INVENTORY LOG. Videotapes will be preserved for a minimum period of one hundred twenty (120) days.

The Video Tape Inventory Log is used to document issued, completed, stored and destroyed videotapes.

- B. Unless otherwise required to be retained (as set forth below) beyond the one hundred twenty (120) day period, the tapes will be destroyed.
- C. Tapes will be retained for the one hundred twenty (120) day period in a secure cabinet at the facility, unless they contain information regarding unadjudicated cases (arrests, traffic summonses, other enforcement activity), crime scenes, accident investigations, incidents leading to civilian complaints or other events deemed sufficiently important to be retained for a longer period after review by a supervisory officer.
- D. Tapes will be retained beyond the one hundred twenty (120) day period when:
1. A tape contains evidence in a criminal, quasi-criminal or serious motor vehicle cases, in which event the original tape will be removed by a supervisor, vouchered as evidence and retained in accordance with the procedures set forth below as established practices and procedures for the handling, transfer and disposition of evidence.
 2. A tape contains a recording of an incident which depicts an arrest, the issuance of a summons or an incident which has or will likely result in the receipt of a citizen complaint against the officer or a third party. In those events, the tape will be removed by a supervisor who shall ensure that the same is vouchered and properly preserved as evidence.

- E. All original tapes, including those that are evidence, will remain in the possession of the command. When the copy of a tape has been produced, the copy will be entered in the Video Tape Inventory Log as a copy (i.e. JFK 01-C1, C1= copy number 1, JFK 01-C2 = copy number 2, etc. for that tape). Enter the time, date and who signed out the copy, also under the "remarks" section; enter why the copy was made and the current location of the copy. All NYC vouchers pertaining to Video Tape Evidence will include a copy of the relevant section of an MVR tape; the original tape will be retained by the command.
- F. No tape will be released to any agency or person without the written permission of the Director of Public Safety/Superintendent of Police, Chief of Professional Standards or their designee unless required by law or court order. In any event, only copies of originals will be produced, and only the section of the tape pertaining to that specific incident will be copied.
- G. Copies of tapes will be provided to defendants and/or their attorneys in accordance with New Jersey Rule 3:13-3 and New York Criminal Procedure Law 240.20, 240.45 and 710.30, after advising the respective prosecutor's office that such a tape exists and being advised that the Prosecutor does not object to the production. All video/audio tapes will be identified with a control number, starting with 01.
- H. The supervisor will issue new video/audio tapes, in sequential order, starting with the lowest serial number (i.e. JFK 01), the date, command, and the supervisors name will be recorded on the tape sticker. Each tape will be recorded in the Command Video Tape Inventory Log.

The following information will be entered into the Video Tape Inventory Log:

At time of issuance;

- Tape Serial Number
- Date/Time signed out
- Officer assigned to vehicle at time of issuance
- Vehicle Number
- Supervisor loading tape

At time of removal;

- Date/time signed in

To: All Members of the Force

- Supervisor removing tape
- Officer assigned to vehicle at time of removal
- Remarks

V. Video/Audio Tape Storage

A. Evidence Tapes:

Any time a tape may contain or contains evidence, an arrest, the issuance of a summons or a situation that has or may result in a citizen complaint against an officer, the supervisor will replace the tape according to the procedures set forth above, notwithstanding that the tape may have more than thirty (30) minutes of time remaining on it.

The supervisor will review the contents of the tape as soon as possible to determine that the tape is not faulty and that the timing sequence is intact and has not been tampered with. After review, the supervisor will remove the record protect tab located on the rear of the tape.

The supervisor will then deliver the tape, and the Activity Sheet to the evidence control officer/s. In the event the officer is not available, the supervisor will follow normal evidence storage procedures at their command.

It will be the responsibility of the officer(s) assigned to evidence control to process videotapes for storage as follows;

- Affix Video Case Sticker(s) to video case
- Refer to the Tape Inventory Log and Video Log Book for the retrieval of videotape issuance, and usage information

The officer will then record onto the video case sticker:

- Command
- Videotape Serial Number
- Date of Issuance
- Date, tour, and officers name for each usage

The videotape will be placed into the case; the plastic case will then be sealed with the red "evidence" tape to prevent tampering. The Serial Number will be recorded into the Commands Evidence Log.

The boxed, sealed tape will be further sealed in a plastic bag with a copy of the Activity Sheet enclosed as well.

The sealed evidence bag will be processed as evidence.

Tapes containing an arrest will be secured with other evidence from the arrest.

B. Patrol Activity Tapes:

When a tape that does not contain evidence, an arrest, issuance of a summons or an incident that has or may result in a citizen complaint against an officer is complete (thirty (30) minutes or less time remaining), it will be removed from use as outlined in the instructions above. A Video Case Sticker will be affixed and processed as above. The videotape case will be sealed with the blue "patrol" tape and will be entered in the Video Tape Inventory Log, and the Video Log Book by the Supervisor under the "remarks" section as "finished". The Videotape will then be secured in the locked video storage cabinet.

C. Destruction:

Finished tapes which are not identified as containing evidence, arrest, an issuance of a summons or an incident that has or may result in a citizen complaint against a police officer will be stored for a period of one hundred twenty (120) days before being erased and destroyed by the supervisor/police officer assigned to Evidence Control. The Supervisor or officer destroying the tape will document the date of the destruction in the Command's Video Tape Inventory Log. Tapes containing evidence, an arrest, an issuance of a summons or an incident which has or may result in a citizen complaint against an officer will be held until no longer required for criminal or civil purposes, until no longer required for disciplinary action or until expungement is ordered by a court of other appropriate authority. Expunged tapes will not be destroyed; those tapes will be transferred to the secure storage area used for expunged/sealed files.

Subject: Mobile Video/Audio Recording Equipment (MRV)

I.O. 1-01

Date: 05/07/01

Page 8 of 8

To: All Members of the Force

VI. Training

Training shall be in accordance with Police Academy specification and the needs of the department.

By Order of:



Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



INTERIM ORDER

I. INTRODUCTION:

Recent incidents have increased this department's concern for the threat of Biological and Chemical attacks. The Public Safety Department is issuing the Millennium Chemical-Biological Mask to all members of the force. The Millennium Mask, when worn properly and with the issued filter canister will afford the wearer protection from an inhalation threat against all known chemical and biological agents.

II. PURPOSE:

The purpose of this order is to provide members of the force with instructions for the proper wearing of the Millennium Mask and the protocols for its use.

III. POLICY:

The authorized Millennium Mask will be issued to all members of the force. The mask will be only used after the member is qualitatively fit tested and trained in its use by an instructor, trained by the Police Academy. Along with the issuance of the mask, all members will receive a Millennium Mask Instruction Manual

IV. EQUIPMENT

1. The Millennium Mask that will be issued is sterile and has never been worn or used by anyone else. Manufactured by the Mine Safety Appliances Company (MSA), the Millennium Mask is made of Hycar rubber with a polyurethane lens. The Millennium Mask comes in three sizes: small, medium and large. The mask has an accompanying filter which screws into either the left or right side of the mask depending upon the user's shooting hand. The Millennium Mask uses a "Nato Thread" which makes it compatible with many filter types. A MSA filter will be issued with the mask.

2. The filter is contained in a foil wrapper, and has a two (2) year shelf life. Once unwrapped, the filter will be good for six months and must be replaced at that time, and also after it is used at an incident it **MUST** be replaced. The Millennium Mask has the following features:
 - a. A flexible, one-piece Polyurethane lens for a large field-of-view.
 - b. Dual mounting pieces
 - c. Elastic six-point harness
 - d. Mechanical speaking diaphragm
 - e. Electrical speaking diaphragm
 - f. Drinking tube to allow wearer to intake fluids without removing the mask.
 - g. Internal valves, which direct the air away from the face piece to eliminate fogging.
 - h. A lens shields

NOTE: A "Spectacle Kit" is available for members who wear corrective eyewear.

3. The Millennium Mask is OSHA and NIOSH approved.

V. PROCEDURE:

1. The carrying of the Millennium Mask on the person by members of the force will be optional **EXCEPT** when the member is assigned for a tour in any of the following capacities:
 - a. Patrol Car
 - b. ESU
 - c. K-9
 - d. CV1
 - e. Motorcycle
 - f. Any Plaza Post at the Holland Tunnel, Lincoln Tunnel or George Washington Bridge

Subject: Millennium Biological – Chemical Mask

I.O. 2-02

Date: 04/08/02

Page 3 of 3

To: All Members of the Force

2. Based on operational needs or conditions at a command, it will be the discretion of the Commanding Officer to require all posts and assignments to carry the mask.

By Order of:



Charles D. DeRienzo
Superintendent of Police/
Director, Public Safety Department

To: All Members of the Force



INTERIM ORDER

I. PURPOSE:

This Interim Order establishes the inclusion of an expandable baton as an authorized defensive weapon. The expandable baton will only be carried by members of the force trained and certified in the use of the expandable baton by the Port Authority Police Academy.

II. EQUIPMENT

Effective this date, POI 4-8, USE OF BATON AND BILLY, is amended to include the Monadnock Expandable Baton, Model #9041, AutoLock -21'.

Expandable Baton

Make Model	Monadnock, AutoLock-21", Model #9041
Handle Length	8.375"
Expanded Length	21"
Weight	19 ounces
Color	Black

III. PROCEDURE

All uniformed members of the force, who have been trained and certified by the Port Authority Police Academy, will carry the Monadnock, AutoLock-21" in its issued holder in a manner consistent with training. Use of the baton will, at all times, be in accordance with guidelines provided in POI 4-8, Use OF BATON AND BILLY, and training provided by the Police Academy.

By Order of:

A handwritten signature in black ink, reading "Charles D. DeRienzo".

Charles D. DeRienzo
Superintendent of Police/
Director, Public Safety Department

Subject: Tyvek Biological – Chemical Suits

I.O. 2-03

Date: 04/02/03

Page 1 of 2

To: All Members of the Force



INTERIM ORDER

PURPOSE:

The current environment this nation is in requires the Port Authority Police be prepared for possible chemical or biological attacks. The purpose of this interim order is to provide guidelines, information and instruction to all members of the force in reference to the use of Tyvek protective gear.

OBJECTIVE:

The objective of these guidelines is to provide members of the force with instructions for the proper donning and doffing of the Tyvek coveralls and related gear, in the event of a Weapons of Mass Destruction (WMD) incident. The Tyvek coverall when worn with the Millennium Chemical-Biological Mask provide Level C protection only.

POLICY:

Tyvek emergency kits will be stored at commands with the commanding officer or designee retaining control for the distribution to officers. Additional Tyvek protective kits will be stored at central locations, for deployment to specific commands if necessary. Tyvek kits are to be stored in a controlled temperature environment that is secure at all times. These suits will be property of the command and will only be distributed when directed by Port Authority Police Command Staff or incident commander.

EQUIPMENT:

Tyvek emergency kits include the following; one Tyvek coverall, protective boots and gloves, and a spare Millennium mask filter. The Millennium mask will be utilized in addition to the Tyvek coveralls to provide Level C protection against WMD. This equipment is designed for perimeter security warm zone (Decontamination Area), or cold zone (Safe Area) environments only. This equipment isn't suitable for performing tasks in the hot zone (Contaminated Area).

Subject: Tyvek Biological – Chemical Suits

I.O. 2-03

Date: 04/02/03

Page 2 of 2

To: All Members of the Force

PROCEDURE:

The first officer on the scene of an incident should be aware of the potential WMD, and make his observations of the incident known to the police desk. If it is apparent that the incident could involve WMD, the Incident Command System will be activated and emergency Tyvek kits will be distributed to responding members.

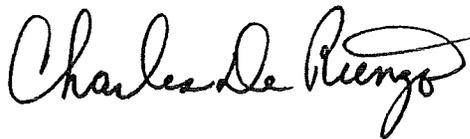
When donning and doffing Tyvek protective gear, officers should work as a two person team. This will assure that the protective gear is properly sealed to minimize exposure to any contaminants. A 13-minute instructional video on the Tyvek Protective Coverall Kits has been distributed to all commanding officers. Commanding officers will assure that all members at their commands review this tape, and fax a list of officers that examined the instructional video to Police Planning and Research Unit 201-239-3877.

Related Interim Orders:

Response to Biological Terrorism 01-2002

Millennium Biological-Chemical Mask 02-2002

By Order of:



Charles D. DeRienzo
Superintendent Of Police
Director, Public Safety Department



INTERIM ORDER

I. INTRODUCTION

The Port Authority Police of N.Y. & N.J. has received 100 Heckler & Koch 9mm MP5 and 50 Colt AR15A3 .223 weapons. Accordingly, there are many areas pertaining to the use and deployment of these special weapons that we as a department must become proficient in.

II. PURPOSE:

The purpose of this Interim Order is to establish a standardized policy regarding the use, storage, safety and training with regards to the H&K MP5, 9mm. and Colt AR15A3, Cal. 223.

III. POLICY:

It is the policy of this department that our members will be fully trained and in compliance with all New York State Attorney General, New Jersey State Attorney General, and PAPD Departmental guidelines regarding the use of the H&K MP5, 9mm. and Colt AR15A3, Cal. 223.

IV. EQUIPMENT:

1. The Heckler & Koch MP5 is used by military and law enforcement units in more than fifty nations. The selection of trigger groups to be utilized by the Port Authority Police of N.Y. & N.J. are the single fire, and full automatic option. The weapon's unique modular design and a variety of optional buttstocks, forearms, sight mounts, and other accessories gives the MP5 extraordinary flexibility to meet most any mission requirement. Firing from the closed-bolt position during all modes of fire makes the MP5 submachine guns extremely accurate and controllable. It contains a 30-round 9mm x 19 magazine.

2. The COLT-AR15A3 Carbine (.223 Rem) has a lightweight and compact platform and it provides law enforcement with the performance and accuracy for targets outside the handgun range. This is a semi-automatic, gas operated, locking bolt-action weapon. The weapon's capacity is 20 rounds; 30 rounds optional.

V. PROCEDURES:

A. HECKLER & KOCH MP5 9MM:

1. Training Site: Qualification is conducted both indoors and outdoors.
2. Members To Be Trained: Selection of members to be trained will be determined by the Superintendent of Police.
3. Training Hours Required: All officers must complete and satisfactorily pass a five day, 40 hour course of fire which includes; Safety, Nomenclature, Accessories, Field Stripping, Operating Principles, Cycle of Function, Sight and Sight Adjustments, Slings, Fundamentals of Shooting, Ready Positions, Load-Unload-Reload, Stoppages, Intro to Firing / Sight-in for Zero. In addition, a total of 2290 rounds will have been fired during this training period.
4. Weapon Skills Required: All members must achieve a passing score of 80%, which is based on N.Y. & N.J. Attorney General's Office guidelines.
5. Weapon Safe Keeping & Storage: All special weapons will be stored in a safe and secure armory within each command when not in active use. In addition, each officer carrying these special weapons during the course of his/her tour will be responsible for securing their weapon in a safe and secure manner on their person, or within a patrol vehicle suitably modified to include required security devices.
6. Officer Qualification: Each officer must shoot at least four times during the calendar year. Two of those times may be used for qualification purposes. There can be no less than two months between each qualification session.

7. Deployment: All special weapons will be deployed to qualified officers by their Commanding Officer, or his/her designee. Each respective Commanding Officer will assign a designated supervisor to be responsible for the inventory and inspection of their command's special weapons at both the start and completion of all tours. This designated supervisor will maintain a written log which will contain both the supervisor's and the officer's name that has logged out the special weapon. The special weapons logbook is to be kept in a safe and secure area, and shall be reviewed on a daily basis by the Commanding Officer of each facility.
8. Physical Conditioning Component: Members trained in the tactical use of special weapons must be in good condition and physically able to perform the required duties. Each officer must participate in an annual physical proficiency assessment, which combines the various components of tactical response and shooting proficiency.

B. COLT AR15A3 .223 TACTICAL CARBINE:

1. Training Site: Indoor 50- yards with reduced targets / Outdoor 100-yards with full size targets.
2. Members to be Trained: Selection of members to be trained will be determined by the Superintendent of Police.
3. Training Hours Required: All officers must complete and satisfactorily pass a two-day, 16-hour course of fire, which includes; Safety, Nomenclature, Accessories, Field Stripping, Operating Principles, Cycle of Function, Sight and Sight Adjustments, Slings, Fundamentals of Shooting, Ready Positions, Load-Unload-Reload, Stoppages, Intro to Firing / Sight-in for Zero.
4. Weapon Skills Required: All members must achieve a passing score of 80%, which is based on N.Y. & N.J. Attorney General's Office guidelines.
5. Weapon Safe Keeping & Storage: All special weapons will be stored in a safe and secure armory within each command when not in active use. In addition, each officer carrying these special weapons during the course of his/her tour will be responsible for securing their weapon in a safe and secure manner on their person, or within a patrol vehicle suitably modified to include required security devices.

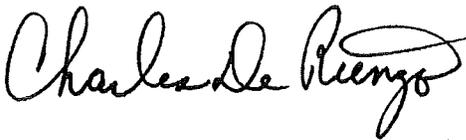
To: All Members of the Force

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8. Physical Conditioning Component: Members trained in the tactical use of special weapons must be in good condition and physically able to perform the required duties. Each officer must participate in an annual physical proficiency assessment, which combines the various components of tactical response and shooting proficiency.

By Order of:



Charles D. DeRienzo
Superintendent Of Police
Director, Public Safety Department

To: All Members of the Force



INTERIM ORDER

I. INTRODUCTION:

This interim order establishes procedures for the removal/return of training aids used by K-9 handlers. The following guidelines will ensure that all activity requiring training aids is properly documented and witnessed by a Police Sergeant. Weekly inventory reports will be completed by each K-9 Sergeant and will be forwarded to Senior Staff.

II. PROCEDURE: EXPLOSIVE TRAINING AID (S):

All keys that allow access to the interior of the explosive bunkers will be kept in a security chest. The keys for JFK will be kept in the K-9 office, Bldg. 254. The keys for NIA will be kept in the K-9 office, Bldg. 270.

Note: K-9 Handlers will not have access to the explosive bunker keys.

The security chest will be protected/secured utilizing the serialized seal procedure. Sergeants will verify that the serialized seal on the security chest is the last entry, and will record these entries in the log.

When the K-9 Sergeant is not on-duty at JFK Airport, the responsibility will rest with the Crew Chief/Satellite Garage Sergeant.

When the K-9 Sergeant is not on-duty at Newark Airport, the responsibility will rest with the Patrol Sergeant/Port Newark.

Note: The Patrol Sergeant position on the midnight tour is not covered on Sunday/Monday. Access to explosive bunkers will not be available.

When the K-9 handler wishes to remove explosive training aids, he will advise the Sergeant which bunker(s) he/she wishes to remove the aids from.

Note: TSA K-9 handlers access restricted to TSA owned explosive bunkers.

There are two (2) bunkers.

To: All Members of the Force

Local K-9 handlers access restricted to local explosive bunker.
There is one (1) bunker.

K. -9 trainers have access to TSA and Local bunkers.

The Sergeant will access the security chest and remove only the key(s) to the bunker(s) requested by the handler. The Sergeant will complete an entry in the Key Control Log.

- Sergeants name and initialing the appropriate boxes.
- Name of K-9 handler(s) requesting access.
- # of serialized seal removed
- Time key(s) removed
- Time key(s) returned
- # of serialized seal replaced

The Sergeant at all times retains custody of all key(s) removed from security chest.

The Sergeant and the requesting K-9 handler(s) will respond to the location of the subject bunkers. The Sergeant will unlock the requested bunker(s). The K-9 handler, in the presence of Sergeant, will enter the specified bunker and remove the training aid(s), item-by-item, accurately documenting the removal of the training aids in the Training Sign-out/Sign-in Log maintained in each bunker. The K-9 handler is the removing officer and as such is solely responsible for the care and custody of the removed training aids. The Sergeant will witness the removal, ensuring accuracy and completeness of all entries and will sign the witness section in the Training Signout/Sign-In Log, maintained in each bunker.

Note: All boxes will list what Explosives are inside with said weights. Each explosive will be marked with "Property of Port Authority" and contact number.

Once the training aid(s) are removed from the bunker(s), the Sergeant will immediately re-secure the explosive bunker and return the key(s) to the K-9 office security chest. The next serialized seal in sequence will be placed on the chest, and will be recorded in the Key Control Log.

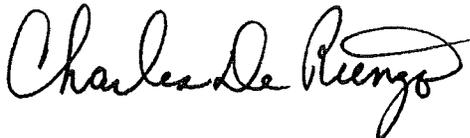
Additional responsibilities for the K-9 handler. After removing the explosive training aid(s), the K-9 handler will call the CPD, advising the Sergeant of the name and amount of training aid(s) in the storage box. The K-9 handler will advise the amount placed in the transport box for removal (i.e. 8 sticks in storage box, 2 sticks removed, placed into transport box). The same procedure will apply when returning training aid(s) to the explosive bunker(s). The CPD Sergeant will document this information into the K-9 Logbook.

Each K-9 Sergeant will complete a weekly inventory and a copy will be sent to Senior Staff

Responsibilities of Sergeant if Explosive Training aid(s) are lost:

- Immediately contact CPD
- Immediately contact Commanding Officer of CPP/Special Operations
- CPD Sergeant to gather the facts for message register
- CPD Sergeant will notify Superintendent of Police, Deputy Superintendents, and all Chiefs of the Department.
- Notify TSA Coordinator
- ATF notification Telephone 1-800-461-8841 business hours
1-888-283-2662 after hours.
- Complete ATF report of theft or loss-explosives materials.
Form AT.F5400.5.
Fax report to ATF Washington, D.C.
Fax number 1-866-927-4570

By Order of:



Charles D. DeRienzo
Superintendent Of Police
Director, Public Safety Department



INTERIM ORDER

PURPOSE

To provide a procedure governing the use of desktop, laptop, and palmtop computers to identify persons or property coming into lawful contact with the police.

POLICY

Only those members of the force who have received specialized training and certification in the use of NCIC, NYSPIN, NJCJIS, NYPD, MDC and NYE-JUSTICE applications may use such equipment to perform identification checks on persons or property coming into lawful contact with the police.

PROCEDURE

Any member of the force may contact SOD Telecommunications Unit either by telephone or radio for a computer assisted identification check regarding a lawful contact with persons or property. In the case of a lawful investigation by members of the Detective Bureau, similar assistance may be requested. Members of the force who have received Mobile Data Computer (MDC) training may obtain said assistance directly from the laptop or palmtop computer but MUST receive confirmation ONLY from the SOD Telecommunications Unit on all hits.

RECORD KEEPING

All members of the force are required to maintain records of computer use. Members of the SOD Telecommunications Unit will continue to maintain record keeping in a manner consistent with current methods until such time as those methods are improved through technology. Members of the uniformed force using the MDC or palmtop will maintain records in their memo books. Members of the Detective Bureau using MDC or palmtop will maintain records consistent with their current methods.

IDENTIFICATION CHECKS

All identification checks MUST be done in conjunction with an articulated lawful contact with persons or property. Detectives must have an articulated lawful investigation supported by documentation.

NOTE: Curiosity checks are NOT permitted.

System use is for criminal justice purposes only and all rules, regulations, guidelines, and procedures set forth by the F.B.I., N.Y.S.P., N.J.S.P., and NYPD will be followed. Improper use of computers can carry disciplinary, civil, and criminal penalties. All identification checks shall consist of National (NCIC), State (NYSPIN or NJCJIS), Local (NJ ATS/ACS or NYC MISD0), and DMV inquiries on all persons and or property where applicable.

LAWFUL CONTACT

Types of contact may include, but are not limited to:

- Detective investigations
- Criminal justice employment
- Subjects on an airline no-fly list
- On- line arrests
- Issuance of C summons or DAT investigation
- Issuance of CDR1 or CDR2
- Motor vehicle or subject stops for some violations, offenses, or crimes
- Subjects possessing documentation that appears to be altered or unreadable, duplicate documentation or no documentation
- Aberrant behavior exhibited by the subject of the stop such as: profuse sweating, nervousness, deliberate false statements or some articulated reason to indicate that further checking is warranted

NOTE: Missing or endangered persons, wanted people, forged documents, stolen property and suspended drivers that usually have warrants as a result of those suspensions can only be discovered by a computer inquiry.

Subject: Computer Assisted Identification Checks

I.O. 3-08

Date: 10/14/08

Page 3 of 3

Replaces: P.D.I. 5-2

CRIMINAL HISTORY

Members of the force requesting criminal histories can not obtain them from laptops or palmtops and can only get them from the SOD telecommunications Unit and must comply with current guidelines regarding purpose, authorization and supporting case or arrest number.

REASON/ PURPOSE

Reason and purpose codes and explanations detailed by NCIC, NYSPIN, and NJCJIS will be strictly adhered to.

AUTHORIZATION

Criminal history authorization for members of patrol will come from the Tour Commander or above and for members of the Detective Bureau will come from Detective Sgt. or above.

By Order of:



SAMUEL J. PLUMERI, JR.
Superintendent of Police
Director, Public Safety Department



INTERIM ORDER

PURPOSE

Effective immediately, the Auto Shop will equip all new Police Vehicles with one (1) Life Hammer. The Life Hammer is an emergency exit tool that can be used to break side window glass and/or cut seatbelts to assist in the rescue/extraction of persons trapped in motor vehicles. The Life Hammer, which is bright orange in color, will be installed in the vehicle's glove box.

PROCEDURE

Life Hammers will be used in the following manner:

- **SEATBELTS:** Use the handle end safety blade to cut the seatbelt diagonally, side to side.
- **SIDE DOOR GLASS:** **While shielding your eyes**, use the hammer end to strike the corner of the side door glass. The side door glass should shatter after one or two blows. Members should be cognizant of the blade located at the bottom of the tool handle, and ideally to avoid injury, the blade opening should face the palm of the hand while striking.

NOTE: Life Hammers are not intended for use on front windshields or rear windows.

Life Hammers were designed for emergency use **ONLY** and are not to be used for any other purpose or tested by members of the service. The cutting tool is razor sharp and the steel hammerheads are finely pointed. **IMPROPER USE can cause serious physical injury and damage to property.** Damage to a Life Hammer as a result of improper use will be investigated by the Commanding Officer. In addition, loss or theft of a Life Hammer will be reported and investigated.

Life Hammers will be included as part of the vehicle's equipment and will be noted on the Vehicle Inspection Report. In addition, the vehicle operator will inspect the vehicle for the Life Hammer as part of the daily vehicle inspection.

Subject: Life Hammer

I.O. 1-09

Date: 04/07/09

Page 2 of 2

By Order of:

A handwritten signature in black ink, appearing to read "Samuel J. Plumeri, Jr.", written in a cursive style.

SAMUEL J. PLUMERI, JR.
Superintendent of Police
Director, Public Safety Department



INTERIM ORDER

PURPOSE

The purpose of this Interim Order is to establish a standardized method necessary to govern and direct the day-to-day operations of the Port Authority Police Department concerning Electronic Court Disposition Reports and Electronic Temporary Restraining Order in compliance with the newly implemented guidelines set forth by the State of New Jersey Office of Municipal Court Services.

POLICY

It shall be the policy of this Department that all CDR's (Court Disposition Reports) be processed via the New Jersey Office of Municipal Court Services website know as New Jersey Courts Online.

DEFINITIONS

New Jersey Office of Municipal Court Services: The agency responsible for managing New Jersey court affairs, including, but not limited to the New Jersey Courts Online Website and its applications.

New Jersey Courts Online: A closed computer network operated and managed by New Jersey Office of Municipal Court Services, which is accessed by authorized users only.

Court Disposition Reports: The accusatory instrument known as a CDR to file charges against an accused in the state of New Jersey.

Electronic Court Disposition Report: The new generation of Court Disposition Report known as E-CDR, which is transmitted via the Internet.

Temporary Restraining Order: A court document issued by Family Court prohibiting the target of the order from having contact with a victim(s).

Electronic Temporary Restraining Order: The new generation of Temporary Restraining Order.

Agency ID: A unique number issued to police departments, which identifies users of said police department. This department's ID is 2298.

USER ID: A term given to each Police Officer authorized to utilize a PA or state network or computer.

Password: A set of unique set of alpha, numeric, or a combination of characters, which allows a USER to access a network or computer.

Electronic Signature: A traceable e-mail or a biometric identifier applied to a message. The New Jersey Office Of Municipal Court Services uses an authorized user's personal information to establish the signature. Therefore, once the New Jersey Courts System provides an authorized person with a unique logon ID and password he/she acquires an electronic signature. Thereby, identifying the user as the individual signed on to the system.

Issue Process: A process by which municipal court personnel electronically authenticate an Electronic CDR after the hardcopy (original) is submitted to the court.

Port Authority of NY & NJ Network: A closed computer network operated and managed by the Port Authority of NY & NJ.

AP 15-4.03: Port Authority of NY & NJ Computing resources policy, which outlines guidelines to be followed by all employees utilizing Port Authority computers and its network.

I. Electronic CDR

PROCEDURE

- A. **Users:** All users will be assigned a USER ID by the Port Authority Technology Services Department after which he/she will have to generate a password, which will be known only by the user. New Jersey Courts personnel will also assign a unique User ID and password after the user is trained to access and utilize New Jersey Courts Online System.

- B. **Arrest Processing:** The following will be adhered to when processing an arrest:
 - 1. Arresting Officer will consult with the Tour Commander as to the charges that will be lodged against the defendant.

 - 2. Once the charges and the type of report(s) to be utilized are determined,

(CDR1 or CDR2) the arresting officer will complete all other paperwork. In addition, the Tour Commander shall call the on-call judge to establish probable cause and set bail when a Warrant form is utilized. Once all the arrest reports are completed and the judge has been called for probable cause and to set bail the arresting officer can log on to the New Jersey Courts Online System and draft the E-CDR'S. The web address is: <https://njcourts.judiciary.state.nj.us/web1/paua/>

Note: The screen will go off after 20 minutes of inactivity. Therefore, users should maintain some type of activity in order to prevent the system from logging off.

3. Upon signing onto the New Jersey Courts Online System the arresting officer is to request "Generation" from the menu options. This will provide a screen with the following six tabs: **COMPLAINT, ADDITIONAL CHARGES, NARRATIVE, INVOLVED PERSON** (Inv Person), **BAIL SET, ADDITIONAL DEFENDANT INFORMATION** (Addl Def Info).
4. Once the defendant information is entered into the system, all charges are entered (**up to 20 charges can be put on a complaint**) and user asks the system to "**Verify and Continue**" the narrative screen is revealed. At this point the complaint number will be produced. Users must make note of this number, as it will be required in order to recall the complaint for any modifications. Thus avoiding the need to void the CDR.
5. Upon completing an E-CDR1, arresting officer will depress the print Tab on the form, which will provide the necessary print version for the Tour Commander's review and approval. This will generate the response:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**I Accept
Certify & Preview**

**I Decline
Preview Oath**

Once reviewed and no errors are detected by the Tour Commander, the document is now considered complete and the officer can depress the Home Tab. This will file the complaint for the respective court to eventually issue process on the complaint.

In the event there is an error or corrections must be made, the arresting officer is to **depress the maintenance tab**, which will allow the officer to recall the complaint and make the appropriate corrections (**the complaint number is necessary**). Once approved by the Tour Commander the arresting officer will once again depress the print tab, which generate the above caption. The officer again depresses the "I Decline Preview Oath". An original complaint will then be printed and the officer can now exit the E-CDR site. **At no time will a CDR be transmitted with an electronic signature.** The arresting officer will then affix his/her signature to the complaint in **BLUE INK**. Tour Commanders **are not required to administer the oath to police officers for a CDR1**, but the **oath must be administered to private citizens** swearing a Summons Complaint.

Upon completing an E-CDR2, arresting officer will follow all the steps described above and print the oath copy for signature by the Tour Commander. The following response will be received upon requesting that the complaint be printed:

Complaint Warrant:

Certification

Certification: Oath Review

Note: The maintenance feature can only be utilized to correct a CDR not to issue CDR1 in place of CDR2 or vice versa. In these cases the CDR must be voided. In these cases a Request to Dismiss or Void Complaint Certification shall be prepared and attached to the voided CDR. The voided CDR shall be forwarded to the Court Liaison or a designated person to bring to the voided CDR to the court along with the valid CDR.

6. Tour Commanders shall review all E-CDR'S for accuracy and completeness. Once printed, Tour Commanders are to affix his/her signature on the E-CDR'S. In addition, Tour Commanders are to ensure that the E-CDR'S are included in the arrest folder in order to be distributed accordingly.

Note: The receiving jail shall be given a copy marked "Department of Corrections Copy"

- C. **Distribution:** All E-CDR'S are color coded, which indicate the manner of distribution. The following is the order of coding:

1. Gray (pages 1-2) shall be delivered to the court.

2. Pink (page 3) shall be delivered to the court
 3. Green – (page 4) shall be given to the defendant.
 4. Blue – (page 5) shall be retained in the arrest folder.
 5. Light blue – (page 6) shall be delivered to the court.
 6. White – (page 7) marked Superior Court shall be delivered to the court.
- D. **Security:** Since the Port Authority network and the New Jersey Courts Online System are secure networks, only authorized users shall access these systems. Passwords are not to be shared in accordance with established state and Port Authority guidelines. Users shall log off once the E-CDR has been processed. This also applies to the Novell account session. **In the event the New Jersey Courts Online System password is forgotten, the user shall go to the website and click on the “Re-set Password” tab.** The user will be prompted to submit personal information provided at the registration stage. Once completed, the user will submit said information and a new temporary password will be emailed to the Outlook account. In the event anyone requires additional assistance he/she may call the New Jersey Judiciary Help Desk at (800) 343-7002. For Novell account issues contact Help Desk at (212) 435-7469.
- In cases where an arresting officer does not have a USER ID for the New Jersey Courts Online System a supervisor or designee shall log on and assist the arresting officer with the E-CDR. **In these cases the Arresting Officer ID shall be listed as 9998.** In addition, the arresting officer must be listed as an involved person in said screen. **The address to be listed is the Police Command’s address.** All his/her identification information shall be listed in that area.
- E. **Additional Defendant Information.** This tab is designed to input defendant Alias information.
- F. **Equipment:** The equipment necessary to process the E-CDR shall be a standard Port Authority stock computer, and a high volume laser jet printer such as, the HP4700. In addition, since the E-CDR is an Internet webpage application, there shall be Port Authority Network portals installed at the computer sites.

- G. **Maintenance:** The office of Municipal Court Services performs maintenance on their systems every day during the following times. As a result, the systems will not be available.

ECDR: 2400-0100
0700-0730

ETRO: 0500-0515

II. Electronic TRO

PROCEDURE

A. TRO Drafting

1. During regular business hours, the victim should be directed to the Superior Court-Family Division for the filing of a domestic violence complaint. If the domestic violence complaint occurs after business hours (evening, weekend or holiday), and the victim requests immediate temporary relief, the Tour Commander shall interview the victim and complete a draft of the TRO while interviewing the victim in order to obtain all necessary information to complete an E-TRO.
2. Once all the necessary information is obtained, the Tour Commander shall contact the on-call judge to confer and obtain an approval. Once approved, the Tour Commander shall sign on to the E-CDR/E-TRO website <https://njcourts.judiciary.state.nj.us/web1/paua/> and proceed to the E-TRO application and complete the on-line TRO form
3. Once completed, the TRO shall be transmitted to the court by scrolling through the "Select Action" drop-down menu found at the top right-hand corner, and select send to "Superior Court".
4. The bottom of the TRO shall be completed and signed accordingly.
5. In the event the victim changes her/his mind during the interview process, the Tour Commander shall proceed to the above screen and select "Select Draft". This will put the TRO in a stand-by mode and can be completed at a later time. In order to refer to a draft the user will have to click on Draft and locate the plaintiff on the list provided. In this case a notation shall be made in the report pertaining to the incident.

B. Appearance Date

1. In Hudson County, Family Court has an established list of return dates, which is provided to law enforcement agencies via fax.
2. In Essex County, the return date is issued by the law enforcement agency. The return date cannot exceed ten calendar days from the day of issuance. Appearance days are Wednesdays only, at 8:30 AM.
3. In Bergen County, the return date is seven to ten calendar days from the day of issuance. Appearance days are Monday through Thursday, at 8:30 AM.
4. In Union County, the return date cannot exceed seven calendar days from the day of issuance. Appearance days are Wednesday, Thursday, and Friday, at 8:30 AM.

C. Distribution

Distribution shall occur as follows.

1. **Plaintiff** shall receive her/his copy immediately.
2. **Defendant** shall receive his/her copy immediately, which will serve as service.
3. **Family Court** shall receive a copy via fax along with a copy of the victim notification form.

By Order of:



SAMUEL J. PLUMERI, JR.
Superintendent of Police
Director, Public Safety Department





INTERIM ORDER

PURPOSE

The purpose of this Interim Order is to explain the Port Authority Police Firearm Qualification Program, including qualification standards and procedures.

POLICY

It is the policy of the Port Authority Police Department that all members of the service be fully trained and be in compliance with the New York and New Jersey State regulations, as well as other police operations, instructions, and applicable rules, regarding the use, storage, safety, and training of firearms.

Firearms qualification standards and procedures are established by the Commanding Officer, Police Academy, and approved by the Superintendent of Police. Once established, the Superintendent of Police must approve any modification, alteration, or other change in a firearm qualification standard or procedure.

The Port Authority Police Department is mandated to ensure that all members of the service are scheduled for training and maintain a satisfactory firearm qualification record.

The Police Academy will maintain current department firearms qualifications and will inform all officers when there is a lapse of his/her firearms qualification.

PROCEDURE

Shooting Proficiency Breast Bar:

Members of the service, who, by virtue of their qualification scores, qualify to wear a breast bar reflecting their proficiency, may wear the breast bar in accordance with PDI 7-10 "Wearing of Port Authority Medals, Awards, Breast Bars, Mourning Bands, Non PA Medals".

Only one (1) shooting proficiency breast bar may be worn by a member, regardless of the number or types of firearms the member qualifies with. The breast bar will

correspond to the member's official qualification score.

- Only members of the service while in uniform may wear the issued breast bar. The wearing of privately obtained breast bars is prohibited.

The breast bars will be stored with the Firearms Training Unit and will be presented by the Range Officer at the time of qualification.

- Upon issue of a new breast bar, the Range Officer shall retrieve any previously issued breast bar and return it to storage for re-issues.

The three (3) classes of bars awarded are as follows:

Bar:	Scores:
Marksman	86-90
Sharpshooter	91-95
Expert	96-100

Special Weapons:

Firearms qualification standards and procedures regarding the H&K MP5, and the Colt AR15A3 are identified in Interim Order # 3-03 "Special Weapons".

Bi-annual qualification must be maintained for all shotgun-trained personnel. Quarterly qualification must be maintained for the H&K MP5 and AR15A3. If there is a lapse between qualifications, you are deemed no longer authorized to carry any special weapon or shotgun.

Service Firearms:

Each member of this Department is issued a Duty Weapon upon being sworn in as Police Officer.

The current service weapon is the Glock Model 19 in caliber 9mm Luger.

Members of the service assigned to the Criminal Investigation Bureau, Special Investigations Unit, or other non-uniformed duties may be issued a Glock Model 19, or a Glock Model 26 in caliber 9mm Luger.

Some Members of the service, specifically authorized by the Superintendent of Police, may be issued the Glock Model 26 in caliber 9mm Luger.

The Superintendent of Police may authorize the issue of other weapons at his discretion.

Firearms Qualification programs:

The qualification course shall be determined by the Commanding Officer of the Police Academy with approval of the Superintendent of Police. It shall comply with the provisions of the New Jersey State Firearms Qualification and Re-qualification standards, and the New Jersey Law Enforcement regulations.

Members of the service must qualify with their service weapon on a semi-annual basis. For the purpose of this Interim Order, "Semi-Annual Qualification" means a program consisting of two (2) prescribed qualification sessions within a twelve (12) month period.

A member must achieve a minimum score of 80% in order to qualify. The maximum number of attempts at qualification is three (3) per day.

The types of targets used by the Port Authority Firearms Range for qualification activities will comply with New Jersey regulations and be approved by the Commanding Officer of the Police Academy.

The scheduling of a member of the service for In-Service qualification is made by their Command in collaboration with the Port Authority Police Academy.

- Members of the service are reminded that, because of the importance of maintaining a current firearms qualification, they are mandated to attend In-Service qualification training when scheduled and if necessary, return to re-qualify.
- The Range is open for practice Mondays thru Fridays, based on availability. You must schedule an appointment with the Range Master at 201-239-3810.
- If a member becomes aware that he/she cannot attend a scheduled future training date, the member must notify their Command to arrange for another date.

Failure To Qualify:

Members of the service who are unable to achieve a passing score at a Firearms Qualification session must return to the Range on the next available workday on which the Range is open. As a result of not qualifying, service weapons will be secured by the Range Sergeant immediately, and stored at the range. If the member of the service is scheduled to work and the range is not available, the MOS will not be utilized in a patrol capacity.

On the initial day of qualification failure, the Range Sergeant shall order the failing

member to return to the range another day for remedial training and attempt to qualify.

- The Range Sergeant shall notify the Commanding Officer of the Police Academy when such an order has been issued.
- The Commanding Officer of the Police Academy shall notify the member's Commanding Officer that the member failed to qualify and has been ordered to return to the Range for qualification and remedial training.
- Range personnel will document all future training provided and scores achieved.

Members of the service returning for qualification after failing three (3) initial attempts will be given an opportunity to fire a maximum of three (3) prescribed firearms qualification courses at the discretion of the range Sergeant.

- The member will fire a maximum of three (3) prescribed firearms qualification courses while being observed by range personnel in an attempt to identify any area in need of training.
- Range personnel will document training provided and scores achieved.
- If the member is unable to qualify after six (6) attempts, the range Sergeant shall order the member to return to the range on the next available workday on which the Range is available.

Members of the service returning for qualification after six (6) failing attempts will be given an individual block of remedial instruction by range personnel.

- The member shall have the opportunity to fire a maximum of three (3) prescribed firearm qualification rounds.
- Range personnel will document the training provided and scores achieved.
- If the member is unable to qualify, the Range sergeant shall notify the Commanding Officer of the Police Academy of the member's inability to achieve a passing score after nine (9) attempts.

Upon receipt of a notification of nine (9) firearm qualification failures, the Commanding Officer of the Police Academy shall cause the following actions to take place:

- The affected member will be ordered to report to the Office of Medical Services on his/her next scheduled workday for a fitness evaluation to determine if the Member's inability to qualify may be the result of a medical/ psychological condition.

If the member's next scheduled workday falls on a date that the Office of Medical Services is not available to perform an evaluation, the affected member shall return to their respective commands until such time as the Office of Medical Services is available, but the member will not be assigned any law enforcement duties as an armed Police Officer.

Any member of the Force deemed unfit for duty by the Office of Medical Services will contact the Absence Control Unit and will be placed on sick leave or IOD status.

Any member deemed fit for duty by the Office of Medical Services should return to the Range on the next available day the range is open for an additional remedial training. Upon completion of the training, the member will be afforded an opportunity to shoot the Port Authority Firearm Qualification Course of fire with a maximum of three (3) prescribed firearm qualification rounds.

If, after twelve (12) attempts at qualification the member cannot achieve the minimum standard of proficiency, the Commanding Officer of the Police Academy shall notify the Superintendent of Police of the circumstances and the fact that the member is not qualified to perform the law enforcement duties of an armed Police Officer.

- The Commanding Officer of the Police Academy shall also notify the affected member's Commanding Officer that the member is no longer qualified to perform the duties of an armed Police Officer and that the matter has been forwarded to the Office of the Superintendent of Police for future further action.
- Unless directed otherwise by the Superintendent of Police, the affected member's Commanding Officer will not assign a non-qualified member to law enforcement duties.

The Commanding Officer of the Police Academy will ensure that all targets, memoranda, and records of remedial training performed by members of the Range staff are secured and stored until such time as all actions regarding the situation are completed and a final disposition is rendered.

The Superintendent of Police shall determine and take the appropriate actions, in accordance with the established Port Authority Department rules, regulations, and procedures, to ensure that a non-qualified member is not assigned to perform the duties of a Port Authority Police Officer. Additionally, the Superintendent of Police may order the affected member to attend a handgun refresher course. Upon completion of this course, the member of the service will be afforded another opportunity to qualify.

Inability To Qualify:

When all available measures fail to correct the member's below standard performance and a reasonable belief exists that the member is not capable of meeting minimum shooting proficiency requirements, the Superintendent of Police will, in accordance with established Port Authority of New York and New Jersey procedures, initiate action to permanently relieve the affected member of his/her duties as a Police Officer.

Subject: Firearms Qualification

I.O. 6-09

Date Issued: November 17, 2009

Page 6 of 6

Revised: March 24, 2010

By Order of:

A handwritten signature in black ink that reads "Michael A. Fedorko". The signature is written in a cursive style with a large initial 'M'.

MICHAEL A. FEDORKO
Superintendent of Police
Director, Public Safety Department



THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

Table with 4 rows and 4 columns containing metadata: C.A.L.E.A. Standard(s), Section: Uniforms and Equipment, Issuing Authority: Michael A. Fedorko, Superintendent, Subject: Auto-Pulse Cardiac Resuscitation, Date Issued: 8/24/11, Date Revised, Procedure No: 500-01, Page(s): 1 of 6

I. INTRODUCTION

This procedure shall establish a standardized policy for the response and mitigation of cardiac arrest victims. This shall include standard operating guidelines for the deployment, usage and management of this life saving program. Early Cardio-Pulmonary Resuscitation and defibrillation are critical links in the Chain of Survival. It is the intent of this agency to provide the highest level of emergency medical care to the employees and passengers at our facilities.

II. OBJECTIVE

Since 1997, the Port Authority of New York and New Jersey Police have operated a successful early defibrillation program. The Auto-Pulse program will be in conjunction with and complement the existing defibrillation and first responder programs.

III. DEFINITIONS

Auto-Pulse - A cardiac support pump that generates unique and consistent chest compressions, leading to normal blood flow to the heart and brain. The Auto-Pulse system consists of a backboard and a disposable "Lifeband" that fastens across the patient's chest.

C.P.R. - Cardio-Pulmonary Resuscitation is an emergency procedure consisting of external cardiac massage and artificial respiration. A component of the treatment for a person who has no pulse and has stopped breathing and attempts to restore circulation of the blood and prevent death or brain damage due to lack of oxygen.

Defibrillation — The administration of an electrical impulse/shock by an Automated External Defibrillator to correct an irregular heartbeat and restore the normal rhythm.

Sudden Cardiac Arrest — An abnormal heart rhythm resulting in the failure of the heart to circulate blood in a coordinated fashion. It is fatal if CPR and defibrillation are not initiated in a timely fashion.

PROGRAM PERSONNEL

Agency Coordinator — Department member designated to coordinate Auto-Pulse program.

Command Coordinator — Department member designated at the command level to coordinate auto-pulse program at his/her command.

Quality Assurance Coordinator — Department member designated to maintain usage database, coordinate data management program and perform review of system operation

V. TRAINING

All members of the Force shall be trained on the use of the Auto-Pulse device in conjunction with CPR and Defibrillation. The training shall be performed by the Police Academy.

VI. OPERATIONS

A. Auto-Pulse Deployment

1. Commands with "Patrol" designated machines shall assign the Auto-Pulse to a designated sector to respond on all possible cardiac incidents. In the interest of Public Safety, care should be taken by supervisors and desk personnel not to assign vehicles that are equipped with the Auto-Pulse device off the facility, unless it is in response to an emergency where the device is needed or approved by a Supervisor.
2. Police Officers assigned a "Patrol" Auto-Pulse device shall perform an inspection on each tour, which shall include the following:
 - Make sure the device has a charged battery and a spare available in the carrying case.
 - Inspect the Auto-Pulse and case for damage.
 - A "Lifeband" and Securing Strap are available with the device.

3. Commands with "response designated" devices shall also be inspected on each tour as listed above by an Auto-Pulse trained member designated by the patrol supervisor.
4. In addition to the daily inspections, all Auto-Pulse devices will be inspected by the Command Coordinator on a regular basis and shall include all of the above checks. A log shall be kept at each command documenting the inspections and device status.
5. If any deficiencies are found, the command defibrillator coordinator shall be immediately notified and the deficiency documented. If a deficiency occurs, when the coordinator is not available and the assigned Officer or Supervisor cannot correct the problem, the auto-pulse shall be taken out of service and the Command Coordinator and Agency Coordinator notified as soon as possible.
6. Supervisors shall take extraordinary care to insure that all Auto-Pulse devices are inspected and are deployed.

B. Auto-Pulse Usage

1. Department members shall use the Auto-Pulse in accordance with their training and department policies.
2. A unit with an Auto-Pulse shall be dispatched on all calls received for the Following:
 - Cardiac Arrests
 - "Heart Attacks"
 - Unconscious Person
 - Chest Pains
 - Any medical call that may necessitate a defibrillator.
3. In addition to the Auto-Pulse, a unit with a Defibrillator shall be dispatched to the above listed call types. The Utilization of the Auto-Pulse in conjunction with a defibrillator shall be in accordance with established training.
4. The response of an Auto-Pulse does not preclude the initiation of manual CPR prior to the arrival of an Auto-Pulse. CPR shall be initiated by the first arriving members on the scene of a cardiac arrest and shall only be stopped in accordance with current CPR training or the arrival of an Auto- Pulse device.

5. Each Auto-Pulse is equipped with a Zoll patient securing strap set. These straps will be attached and secure the patient to the Auto-Pulse.
6. A Police Officer shall accompany the Auto-Pulse to the hospital and shall remain with the device to assure that the device is safeguarded and returned to the Command promptly.

The Auto-Pulse is not to be left at the hospital or with EMS.

C. Post Usage Procedure

1. Whenever an Auto-Pulse device or defibrillator is connected to a patient, regardless of the status of the patient, a Quality Assurance Report (PA 3953) shall be prepared in addition to the Aided Report or Injury report.
2. The Aided report and the Quality Assurance Report (PA 3953) shall be faxed to the Central Police Desk immediately upon completion. The original shall be submitted with the aided report.
3. The Auto-Pulse will be cleaned in accordance with POI 5-12, returned to the protective case, replenished with a new "Lifeband" and "Patient Strap", and placed back into service as soon as possible.
4. Members utilizing the Auto-Pulse shall follow all infection control procedures as outlined in POI 5-12. Used lifebands and patient straps will be disposed of in compliance with "Bio-Hazard" waste procedures.

D. Patient "Saves"

1. In the event of an Auto-Pulse usage and a spontaneous return of a pulse occurs, the following procedure shall apply:
2. The successful resuscitation shall be documented on the Aided Report and Quality Assurance Report (PA 3953).
3. The Command Defibrillator Coordinator shall notify the Agency Coordinator and The Facility Command Staff. The Coordinator or a designated Officer or Supervisor shall maintain contact with the Hospital or Family of the Patient to determine the Patient's outcome.

4. The Agency Coordinator will notify the Central Police Desk (CPD) and Media Relations. The CPD will make notifications to Senior Staff and Media Relations in off-hour incidents.
5. The Quality Assurance Coordinator shall maintain a database of all Auto-Pulse "Saves."

E. Maintenance/Equipment

1. All Auto-Pulse devices must be in good repair and all maintenance problems referred to the Command Coordinator.
2. If an Auto-Pulse develops a problem requiring manufacturer service, the Agency Coordinator shall be contacted to determine if the device is under the manufacturer warranty and will contact the appropriate service technician to resolve the problem. Copies of all service reports shall be sent to the Agency Coordinator.
3. Under no circumstances, shall any department member attempt to make repairs to an Auto-Pulse.
4. The following Auto-Pulse items are available through the PA Stockroom:
 - Auto-Pulse Lifebands (3 pack) #HA05001 00
 - Auto-Pulse Patient Restraint Straps #HA05001 10

F. Program Personnel

Agency Coordinator - A Police Supervisor with Emergency Medical Training who is responsible for managing the program. This supervisor collects and files all Auto-Pulse Reports/PCRs/Aided Reports for Auto-Pulse deployments agency-wide. He/she prepares a monthly report to Superintendent of Police and Chief Medical Officer on usage. He/she reviews all reports for completeness and compliance with protocols. He/she submits monthly report to New York & New Jersey regional medical authorities. In conjunction with Command Coordinators and Chief Medical Officer or his designee forms the Auto-Pulse QA/QI team.

Command Coordinator (Police Officer): Responsible for performing/documenting routine inspection of Auto-Pulse devices at a command. Stocks spare batteries and Lifebands. Coordinates usages and paperwork with Agency Coordinator.

Quality Assurance Coordinator shall:

- Maintain a database of all usages and their patient outcomes.
- Receive and review all usage documentation.
- Shall work in conjunction with the Agency Coordinator to maintain an active Quality Assurance Program.
- In conjunction with the Agency Coordinator, schedule Quality Assurance Meetings to review usage, incidents and system review.

By Order of:



Michael A. Fedorko

Superintendent of Police

Director of Public Safety



**THE PORT AUTHORITY OF NEW YORK &
NEW JERSEY**

GENERAL ORDER

C.A.L.E.A. Standard(s):		Date Revised: 03/06/12
Section:	500- Uniforms and Equipment	
Issuing Authority:	Michael A. Fedorko	Procedure No: 500-02
Subject:	RAD-EYE DETECTION PAGER ALARM	Page(s): 1 of 6 + 3 attachments

Copy To: J. Speziale, C. Dickey, A. Fitzgerald, B. Smith, K. Walcott,
B. Lacey, E. Welch, A Fuller, M. Gardner, A. Grampp,
R. Hayes, DEA, LBA, PBA, SBA

Notate: This General Order replaces Interim Order 5-09

PURPOSE

To investigate radiation detection pager alarms emanating from radiological materials that may endanger the public, and to establish a process to record occurrences of radiation alerts for the purpose of:

- Investigating elevated readings
- Determining if further investigation or action is warranted
- Documenting locations where activations have occurred

SCOPE

The Rad-Eye Detection Pagers will be issued ONLY to trained police officers/supervisors in order to detect/investigate the presence of hazardous radiological materials that may endanger the public and members of the service. Pagers will be deployed based on operational needs and the facility Command Staff's discretion.

DEFINITIONS

For the purpose of this procedure, the following definitions will apply:

RAD-EYE DETECTION PAGER ALARM

A sensitive search device, designed to alert increased levels of gamma radiation. The alerts allow the wearer to track, isolate and identify sources emitting gamma

radiation. Rad-Eye detection pager alarms are designed as interdiction tools alerting officers to the presence of radiation fields that they would not normally be aware.

TIER I RESPONSE

Examples include State assets, such as the Civil Support Team, Department of Health and Department of Environmental Conservation, Federal assets like the Radiological Assistance program (RAP) Teams or the Nuclear Emergency Search teams (NEST). Generally, a Tier I response is Federal or State assets that have the ability to perform advanced isotope identification and hazard analysis.

TIER II RESPONSE

Tier II assets departmentally include members of the Emergency Service Unit and the Commercial Vehicle Inspection Unit. Tier II personnel will be tasked with the basic identification of radioactive isotopes. In order to perform the mission they are trained to properly operate radioactive isotope identification devices (RIID), including the ability to transmit spectrum files for reach back purposes (Secondary Screening Activities).

TIER III RESPONSE

These personnel will be tasked with the gross detection of radioactive material to locate potentially hostile sources of radiation as they perform their every day duties, on patrol, at special events and in a surge capacity in response to threat based intelligence (Primary Screening Activities). In order to properly perform this task, Tier III Patrol Officers have received the appropriate prerequisite training, including Radiation Awareness Training and Thermo Rad-Eye Pager Operator Training.

FALSE ALARM

An alarm not caused by an increase in the radiation level. Example: radio frequency interference.

INNOCENT ALARM

An alarm caused by an increase in radiation level, but due to either natural background radiation or the presence of explainable radioactive material. Example: nuclear medicine patient.

REAL ALARM

An alarm caused by an increase in radiation levels due to illicit radioactive material or an unverifiable source. This type of alarm requires further investigation and evaluation of the situation beyond the assets of the Rad-Eye equipped officer. A request for the deployment of Port Authority Police Tier II assets from the Emergency Service or Commercial Vehicle Inspection Units is necessary.

VERIFIED ALARM

Considered as at least two alarm activations on the same detector or one alarm on two different detectors. Reach back is necessary to properly secure or mitigate the verified alarm. If reach back performed by the Tier II assets is non-definitive, a request will be submitted for Tier I response.

PROCEDURE

Upon alarm activation of the RadEye detection pager of a verified/unidentified source that is greater than 2 mR/hour (2 Milli Rem per Hour)

POLICE OFFICER (Tier III)

- Notify Tour Commander/Patrol Supervisor and request their response.
- Conduct preliminary field investigation to determine source. Separate individuals, packages, or occupants from a vehicle, re-survey, and question the parties. If source cannot be mitigated at the Tier III level, then a Tier II response will be required.
- Immediately request the response of the Emergency Services or Commercial Vehicle Inspection Unit assets (Tier II).
- Establish a hot zone boundary out to a reading of less than 2mR/hour. Isolate and contain all persons inside boundary line and possible contaminated areas.
- Obtain Incident number from Command Police Desk.
- For NJ incidents only, notify the New Jersey Department of Environmental Protection (NJDEP) hotline at 1-877-927-6337 (1-877-WARNDEP) and obtain case number of the incident from the operator.
- Do not allow persons to enter affected area pending a determination by ESU as to whether or not decontamination is necessary. An Aided Report (PA 2696) will be completed for any persons who may have been exposed. Comply with Interim Order #1-2002 "Response to Biological Terrorism", and Incident Management System if appropriate.
- Complete (PA 3974) Radioactive Material Incident Report if Tier II assets verify alarm and no additional action is needed.
- Complete an NCIR/CCR at the Tour Commander's discretion.

FIRST RESPONDER TURN BACK VALUES

- Do not remain in areas greater than 100mR/hr any longer than required.
- Do not proceed into areas with dose rates greater than 1R/hour (1,000 mR/hr) unless exigent circumstances exist.
- Do not enter areas exceeding 10R/hr (10,000 mR/hr).

PROCEDURE FOR AN IDENTIFIED RADIOLOGICAL SOURCE

- If the radiological source is on an individual, question the individual (i.e. recent medical treatments, professions, etc.) to identify the possible cause of alarm and if the source is consistent with the list of Legitimate Radiation Sources, and appears to be legitimate with no inherent danger, complete the Radioactive Material Incident Report (PA 3974)- *see Response Flow Chart-No-Vehicle*. End the source identification effort.
- If the radiological source identified is not consistent with the list of legitimate radiation sources, no other isotopes are identified and no apparent danger or threat is determined, document the incident on the Radioactive Material Incident Report. (PA 3974) and any additional documentation at the Tour Commander's discretion.
- If the radiological source is localized to the interior of a passenger vehicle, conduct a complete radiation survey of the conveyance to locate and determine the type of radiation. If the reading is consistent with the legitimate radiation sources and the level and distribution of the radioactivity correlates with the materials described, complete the Radioactive Material Incident Report (PA 3974) *see Response Flow Chart-Passenger Vehicle*. End the source identification effort.
- If the radiological source is identified on a non-passenger conveyance, and is not consistent with the list of legitimate radiation sources or manifest produced, or the level and distribution of the radioactivity does not correlate with the materials in the manifest for the conveyance, complete the Radioactive Incident Report and contact NJDEP for NJ incidents at 1-877-927-6337 (1-877-WARNDEP), and follow procedure for an unidentified alarm. For NY incidents contact the NYS Intelligence Center (NYSIC) at 1-866-723-3697. See response Flow Chart-Non Passenger Vehicle.

TOUR COMMANDER/PATROL SUPERVISOR

- Respond to scene and take appropriate action in accordance with the nature or severity of the perceived threat.
- Determine if additional personnel/equipment is needed. (Tier II Response).
- Assume role as Incident Commander and implement ICS system, if appropriate. Comply with PDI 4-6 "Bomb Threats", Interim Order #1-2002 "Response to Biological Terrorism", Interim Order #2-2004 "Mobilization Response" and Interim Order #01-2005 "Radiation Detection Program".
- Notify the Central Police Desk.
- Conduct Investigation.
- Direct the preparation of a Criminal Complaint Report (PA 2113) or NCIR if incident requires further investigation.
- Ensure that the Radioactive Material Incident Report (PA 3974) is completed accurately and faxed to appropriate agencies.

CHAIN OF CUSTODY –

The Incident Commander will ensure that:

- Pertinent documents, identification, manifest, and other appropriate information is collected.
- A proper chain of custody of evidence is maintained.
- The identity of personnel exposed to radiation is recorded.
- Proper documentation is completed (PA 3974/NCIR/CCR).

ESU/CVI MEMBER (Tier II)

- Respond, identify, and confirm source with the Joint Analysis Center (JAC) and take appropriate action.
- Ensure the notification of the Special Operations Division Supervisor.

NOTE: A Tier I response will be initiated when responders on the Tier III and Tier II levels are unable to explain and identify the legitimacy of the suspected source.

REPORTING

- Any verified alarm requires the officer to immediately record the incident on the Radioactive Material Incident Report (PA 3974).
- A NCIR/CCR will be completed at the discretion of the Tour Commander.
- All exposures in excess of 2 mR per Hr to actual radiation shall be immediately noted on an Aided Report (PA 2696) and the Office of Medical Services will be notified where applicable.
- A copy of all the Radioactive Material Incident Reports (PA 3974), Aided Reports, Non Criminal Incident Reports, and Criminal Complaint reports generated in reference to a radiological equipment reading or verification will be faxed to the Statewide Intelligence Management System Unit (SIMS) for documentation and tracking at 201-239-3850.

EQUIPMENT

- The Equipment Sergeant will be the Agency Coordinator for the issuance and tracking of the Thermo Technologies Radiation Detection Pagers and will issue the equipment as operationally and logistically feasible.
- The Tour Commander/Supervisor will issue radiation pagers to trained members of the service who have not been personally assigned a PRD at the start of each tour and make a logbook entry consisting of pager serial numbers, tour and date assigned, as well as the name and shield numbers of Officers receiving the equipment.
- Officers issued pagers will inspect the equipment in the beginning of tour for damage or inoperability. If deemed inoperable or damaged, the equipment will be returned to the Tour Commander or Patrol Supervisor and the Police Officer will request another pager. Tour Commander or the Patrol Supervisor will return

unserviceable pager to the Equipment Sergeant and label pager Out of Service with brief description of the nature of the problem.

RELATED PROCEDURES

- PDI 4-6- Bomb Threats
- Interim Order #1-2002 Response To Biological Terrorism
- Interim Order #2-2004 Mobilization Response
- Interim Order #01-2005 Radiation Detection Program

FORMS AND REPORTS

- Criminal Complaint Report/NCIR (PA 2113)
- Aided Report (PA 2696)
- Radioactive Material Incident Report (PA 3974)

Michael A Fedorko

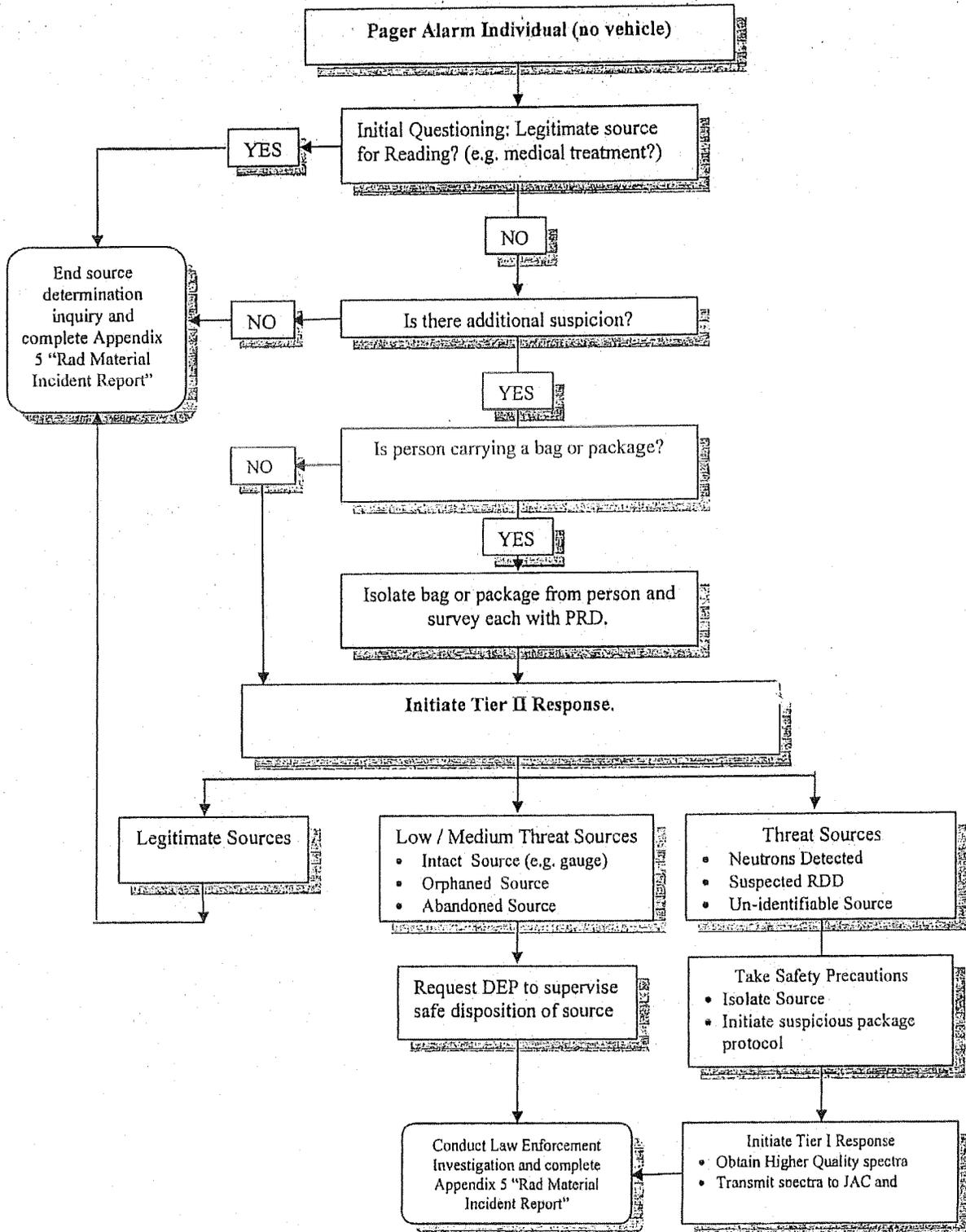
Michael A. Fedorko
Superintendent of Police/
Director, Public Safety Department

Pride

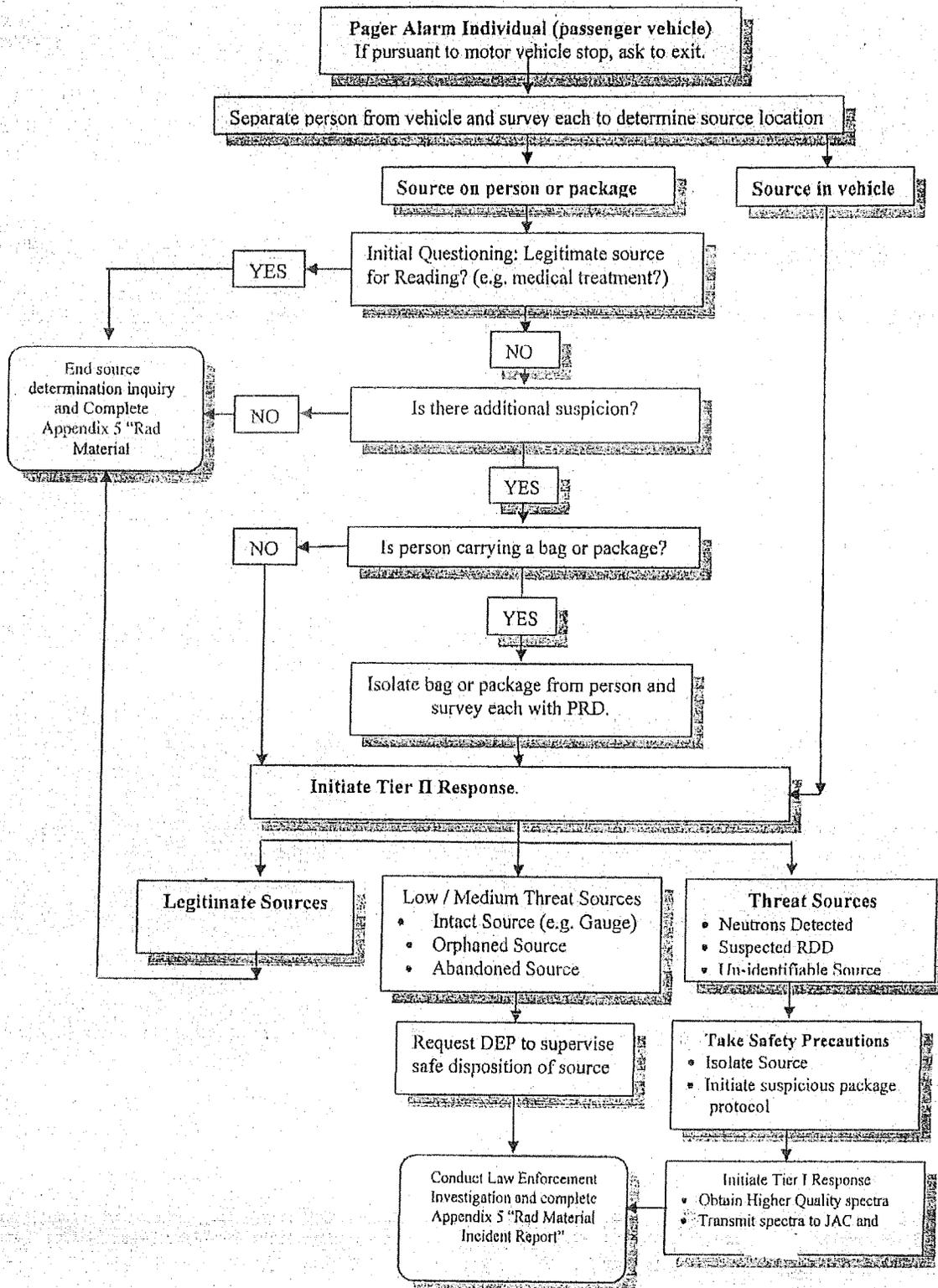
Service

Distinction

RESPONSE FLOW CHART - NO VEHICLE

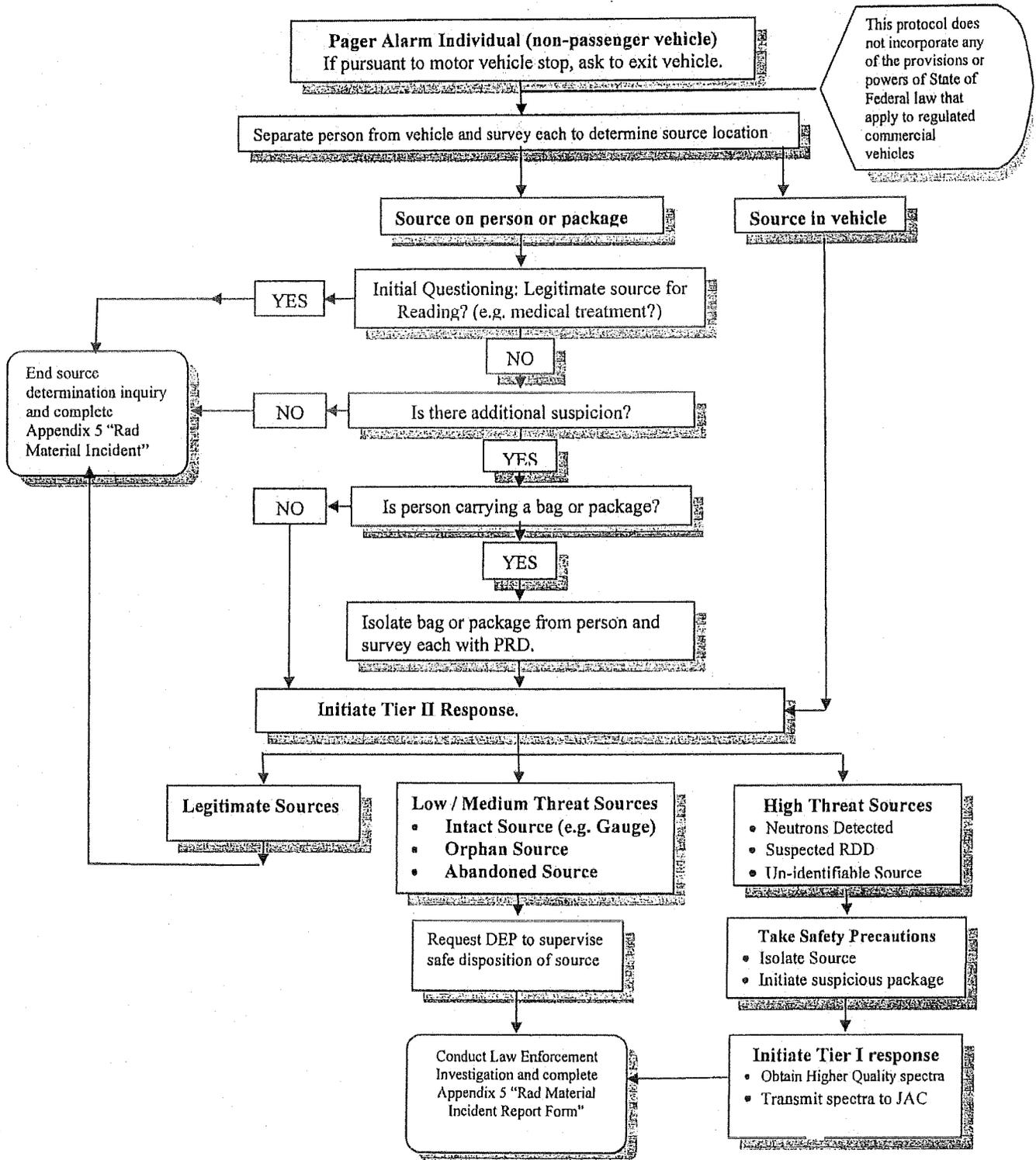


**APPENDIX 2A
RESPONSE FLOW CHART PASSENGER VEHICLE**



APPENDIX 2B

RESPONSE FLOW CHART NON-PASSENGER VEHICLE



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THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

Subject:	SPECIAL WEAPONS	Date Issued:	10/9/12
Section:	500-Uniforms and Equipment	Date Revised:	
Issuing Authority:	Michael A. Fedorko, Superintendent of Police	Procedure No:	500-03
		Page(s):	1 of 7

I. INTRODUCTION:

The Port Authority of New York and New Jersey Police Department currently maintains an inventory of the Remington 870P .12 Gauge Shotgun, Heckler & Koch 9mm MP5 sub-machinegun and the Colt AR15A3 .223 tactical carbine. Accordingly, members of this department who are qualified to utilize these weapons must maintain a high level of proficiency.

The purpose of this General Order is to establish a standardized policy regarding the use, storage, safety, and training with the Remington 870P .12 Gauge Shotgun, H&K MP5, 9mm. and Colt AR15A3, Cal. 223.

II. POLICY:

It is the policy of this department that our members will be fully trained and in compliance with the guidelines established by the State of New York Division of Criminal Justice Services and the New Jersey Attorney General regarding the use of the Remington 870P .12 Gauge Shotgun, H&K MP5, 9mm. and Colt AR15A3, Cal. 223 patrol rifle. Members of the department who have successfully completed this department's prescribed training with these weapon systems are authorized to utilize these weapons. This department classifies the Remington 870P, AR-15, and the MP-5 as **Special Weapons**.

III. EQUIPMENT: CALEA 1.3.9 a

1. **Heckler & Koch MP5 Sub-Machinegun-** The trigger group utilized by the Port Authority of New York and New Jersey is the Navy trigger group (single

fire and full automatic option). The butt-stock utilized by this departmental utilizes the collapsible A-3 model. It utilizes a 30-round (9mm) magazine. The authorized departmental load for the MP-5 is 28 rounds in each magazine.

2. **COLT AR-15 Tactical Carbine-** (.223 Rem) This is a semi-automatic, gas operated, and locking bolt-action weapon. The accessory rail system of the AR-15 allows the usage of optic sighting systems. The weapon utilizes 20 and 30 round magazines. The authorized departmental load for the AR-15 is 28 rounds in 30 round magazines and 18 rounds in 20 round magazines.
3. Remington **870P .12 Gauge Shotgun-** It offers devastating firepower paired with the multitude of ammunition options. It is a pump action .12 gauge shotgun utilizing rifled sights. Departmental shotguns can be equipped with a dedicated light for use in low light conditions. Departmental shotguns utilize a sidesaddle shell carrier for extra ammunition storage. The magazine capacity of the departmental 870P varies from 4-7 rounds depending on the magazine extension installed on the weapon. This department authorizes the use of 00 Buckshot and Slug type ammunition. The authorized departmental load for the Remington 870P is a fully loaded tubular magazine with a closed bolt on an empty chamber with the safety engaged and a fully stocked side shell carrier.

IV. **Training:** CALEA 1.3.10

A) **HECKLER & KOCH MP5 9MM:**

1. **Training Site:** Qualification is conducted both indoors and outdoors.
2. **Members to be trained:** Selection criteria of members to be trained will be determined by the Superintendent of Police.
3. **Training Hours Required:** All officers must complete and satisfactorily pass a four (4) day, thirty – two (32) hour course of training, which includes; Safety, Nomenclature, Accessories, Field Stripping/Maintenance, Operating Principles, Cycle of Operation, Slings, Fundamentals of Shooting, Ready Positions, Load-Unload-Reload, Malfunction clearance/Stoppages, Judgmental shooting, Moving and shooting, and Diminished light shooting. A minimum of 2000 rounds will be fired during this training period.

4. Weapon Skills Required: To be selected to receive training with the MP-5, members of the force must demonstrate an acceptable level of proficiency with their service weapon. Members of the force who do not demonstrate an acceptable level of proficiency with their service weapon are barred from participation in MP-5 operator training opportunities. Upon completion of the Basic Operator MP-5 Class, all members must achieve a minimum passing score of 80% on the departmental Sub-machinegun qualification courses for both daylight and diminished light qualification. During all stages of training, officers must demonstrate safe weapons handling skills. Any officer who repeatedly demonstrates poor weapons handling skills during training or qualification sessions will be deemed unfit to utilize the MP-5. The Superintendent of Police will make final determinations.

5. Physical Conditioning Component: Members trained in the tactical use of special weapons must be in good physical condition and physically able to perform the required duties. The inability to safely deploy the MP-5 in the shooting positions mandated by the qualification courses will result in revocation of qualification to utilize this weapon.

B) COLT AR15 .223 TACTICAL CARBINE:

1. Training Site: Indoors at 25 yards for training, outdoors at 50 yards with reduced targets or 100 yards with full size targets for qualification and training.

2. Members to be trained: Selection criteria of members to be trained will be determined by the Superintendent of Police.

3. Training Hours Required: All officers must complete and satisfactorily pass a four (4) day, thirty-two (32) hour course of training, which includes; Safety, Nomenclature, Field Stripping/Maintenance, Operating Principles, Weapon Ballistics, Departmental Policy, Fundamentals of Point Shoulder Shooting, Ready Positions, Slings, Sighting, Load-Unload-Reload, Stoppages and Malfunction clearance, Weapon Transitions, Lowlight Deployment, Moving and Shooting, Tactical deployment.

4. Weapon Skills Required: To be selected to receive training with the AR-15, members of the force must demonstrate an acceptable level of proficiency with their service weapon. Members of the force who do not demonstrate an acceptable level of proficiency with their service weapon are barred from participation in AR-15 operator training opportunities. Upon completion of the Basic Operator AR-15 Class, all members must achieve a minimum passing score of 80% on the departmental Patrol Rifle/Assault Weapon qualification courses for both daylight and diminished light qualification. During all stages of training, officers must demonstrate safe weapons handling skills. Any officer who repeatedly demonstrates poor weapons handling skills during training or qualification sessions will be deemed unfit to utilize the AR-15. The Superintendent of Police will make final determinations.
5. Physical Conditioning Component: Members trained in the tactical use of special weapons must be in good physical condition and physically able to perform the required duties. The inability to safely deploy these weapons in the required shooting positions mandated by qualification courses will result in revocation of qualification to utilize this weapon

C) REMINGTON 870P .12 GAUGE SHOTGUN

1. Training Site: Qualification is conducted both indoors and outdoors.
2. Members to be trained: Selection criteria of members to be trained will be determined by the Superintendent of Police.
3. Training Hours Required: All officers must complete and satisfactorily pass a two (2) day, sixteen (16) hour course of training, which includes; Safety, Nomenclature, Accessories, Field Stripping/Maintenance, Operating Principles, Cycle of Operation, Slings, Fundamentals of Shooting, Ready Positions, Load-Unload-Reload, Malfunction clearance/Stoppages, Judgmental shooting, Moving and shooting, and Diminished light shooting.
4. Weapon Skills Required: To be selected to receive training with the Remington 870P .12 Gauge Shotgun, members of the force must have demonstrated an acceptable level of proficiency with their service weapon. Members of the force

who do not demonstrate an acceptable level of proficiency are barred from participating in Remington 870P operator training opportunities. Upon completion of the Remington 870P Class, all members must achieve a minimum passing score of 80% on the departmental Shotgun qualification courses for both daylight and diminished light qualification. During all stages of training, officers must demonstrate safe weapons handling skills. Any officer who repeatedly demonstrates poor weapons handling skills during training or qualification sessions will be deemed unfit to utilize such weapon. The Superintendent of Police will make final determinations.

5. **Physical Conditioning Component:** Members trained in the tactical use of special weapons must be in good physical condition and physically able to perform the required duties. The inability to safely deploy these weapons in the required shooting positions mandated by qualification courses will result in revocation of qualification to utilize this weapon.

V. Special Weapons Safe Keeping & Storage:

All special weapons and ammunition will be stored in a safe and secure armory within each command when not in active use. Weapons should be stored in a safe condition (unloaded and with the safety engaged). Commands will designate a safe area for the unloading of special weapons. A chamber safety flag should be utilized to clearly identify the weapon as safe and empty when it is stored. Chamber safety flags can be attained by commands from the Firearms Training Unit.

Each Commanding Officer will designate a supervisor responsible for the inventory and inspection of their command's special weapons. This inspection will be completed at the start and completion of all tours. This designated supervisor will maintain a special weapons log. This weapons log will contain the supervisor's name and name of officers issued special weapons. The special weapons log will indicate any weapons in need of repair.

All weapons will be physically accounted for on each tour in the special weapons logbook. The designated supervisor will ensure that members of the force are currently qualified with the weapon prior to issuance. The special weapons log is to be kept in a safe and secure area, and shall be inspected on a daily basis by the Commanding Officer or his/her designee of each command.

Each command shall submit a copy of their inventory to the Police Academy Firearms Training Unit on a weekly basis. Such inventory should note any weapons in need of repair. This inventory should be sent via fax or Email.

- VI. **Authorized Ammunition**- Ammunition authorized for use in the MP-5, Remington 870P and the AR-15 will be designated by the Commanding Officer of the Police Academy with approval of the Superintendent of Police. The Firearms Training Unit will maintain a list of authorized ammunition. Efforts are to be made by commands to ensure that they have ample supplies of ammunition on hand in the event of an emergency. Commands will ensure that such supplies of ammunition are in good condition. Faulty ammunition will be returned to the Firearms Training Unit for replacement. The Operator of the Remington 870P shotgun has the choice of 00 buckshot or Slug ammunition based on tactical application and environments where deployed.

The Firearms Training Unit may recommend new ammunition and accessories to change the authorized list if they determine such change will be beneficial because of superior ballistic performance.

- VII. **Maintenance**- the only personnel authorized to perform maintenance or modify departmental weapons are members of the Police Academy Firearms Training Unit. Members of the Firearms Training Unit are manufacturer certified Armorers on departmental weapon systems. Any deficiencies noted at the command level will be relayed to the Firearms Training Unit to ensure timely repair. No modifications or alterations of Special Weapons are permitted by any personnel other than members of the Firearms Training Unit.

- VIII. **Issuance**- All special weapons will be issued to qualified officers by their Commanding Officer or his/her designee. Commanding Officers should review their roll calls and designate posts authorized to utilize special weapons during the performance of their duty. Preferentially these posts would have the ability to safeguard these weapons and provide rapid response to an incident. Only personnel who are trained and currently qualified can be issued a special weapon.

The Firearms Training Unit will generate a report of members of the Force who are not qualified with each respective special weapon. These reports will be sent to all commanding officers for their use as noted:

Pride

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Service

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Distinction

Remington 870/ Biannually, H&K MP-5 and Colt AR-15/Quarterly.

IX. Deployment- It is impossible to describe all situations and scenarios where a special weapon would be deployed, examples of situations where Special Weapons would be deployed by NON-ESU Police Academy trained members of the service **include, but are not limited to:**

1. Perpetrator is wearing Body Armor or any device, which would defeat or impede the response of an officer with their service weapon alone.
2. Perpetrator is armed with or has immediate access to a high-powered weapon superior in range and capability to that of the officer's service weapon.
3. Perpetrator is armed and situated in a distant or fortified position, which provides tactical superiority.
4. Perpetrator is armed and or barricaded and the officer is manning a perimeter position,
5. Response to an Active Shooter incident or terroristic event where perpetrators are or may be armed.

Generally, when circumstances exist that indicate the deployment of Special weapons would enhance the officer's ability to prevent death or serious harm to themselves or others, special weapons may be deployed.

Emergency Service Unit personnel who are trained with the Remington 870P, AR-15, and MP-5 receive advanced tactical training with Special Weapons above that of the Basic Operator class. ESU members are also equipped with heavy vests and equipment to provide increased protection from violent perpetrators. As a result, members of this unit utilize these weapons in situations where a patrol officer would not.

Incidents where Special Weapons would be deployed by ESU members of the force **include but are not limited to:**

1. VIP escorts and protection
2. Directed anti-terror patrols
3. High value property protection (narcotics, weapons, payroll)
4. Dangerous prisoner escorts
5. Barricaded / Hostage situation where perpetrator is believed/ likely armed
6. Perpetrator searches when it is believed/likely perpetrators are armed
7. Warrant Execution

8. Emotionally Disturbed person (when believed/likely armed)

The Commanding officer of the Special Operations Division or his Designee will authorize these types of deployments.

Patrol officers (Non-ESU) on foot should not utilize the Remington 870P, AR-15, and MP-5 unless they are specifically authorized to do so by their Commanding Officer.

If a Commanding Officer authorizes the usage of Special Weapons by officers on foot:

1. Officers should not be used to respond to general calls for police assistance (Unless no other units are available to respond). If an officer deployed on foot is needed to respond to a general call for police assistance they should first secure the weapon in an authorized location.
2. Should be teamed up with at least one other officer not utilizing a special weapon.

Deployment on Foot: Officers carrying special weapons during the course of his/her tour will secure the weapon in a safe and secure manner on their person by means of a departmentally issued sling. Officers will maintain control of the weapon at all times with their strong hand on the pistol grip of the weapon. It is recommended that officers deployed on foot with special weapons also wear body armor capable of protecting their vital areas from rifle rounds. (meeting or exceeding Body armor Compliance of the NIJ level III or IV) This can be accomplished by means of ballistic vests or plate carriers and ballistic helmets.

Deployment in patrol vehicles: If special weapons are deployed within a patrol vehicle, the vehicle will include required security devices (Gun Rack) specifically designed for such weapon. If the vehicle does not have a Gun rack specifically designed for that weapon; a locked weapons case will be utilized. Such weapons case will preferably be in the trunk of the vehicle (if available) and secured to the vehicle itself by means of a cable lock. The Firearms Training Unit will approve such cases and locks prior to their utilization. Under no circumstances should the weapon be stored in an unattended vehicle unless it is secured in an approved manner. It is recommended that officers deployed in patrol vehicles with special weapons also be deployed with body armor in their possession capable of protecting their vital areas from rifle rounds. (meeting or exceeding Body armor Compliance of the NIJ level III or IV) This can be accomplished by means of ballistic vests or plate carriers and ballistic helmets.

Special weapons stored in a vehicle should be left in the “**Car Ready/Patrol Ready**” Position. The MP-5 and AR-15 “**Car Ready/Patrol Ready**” Position is when the magazine is inserted in the weapon on a closed bolt with an empty chamber and selector switch on safe. The Remington 870P “**Car Ready/Patrol Ready**” Position is when the magazine is fully loaded on a closed bolt with an empty chamber and trigger safety switch on safe.

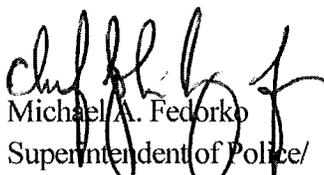
X. Qualification for Trained Personnel:

The Port Authority of New York and New Jersey Police Department follows the Qualification requirements set by the States of New York and New Jersey. Each officer must respond to a range training session and participate in training with special weapons as follows:

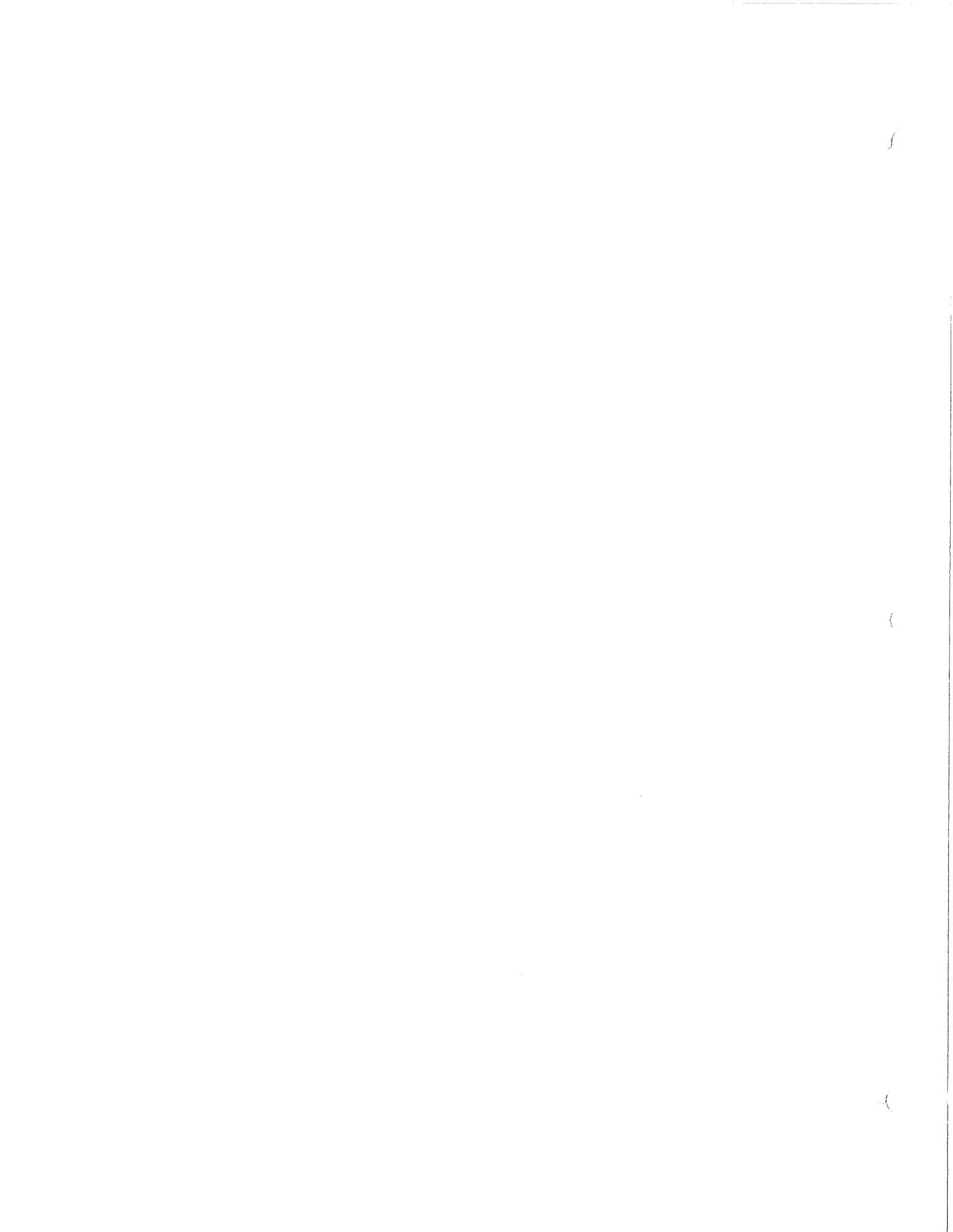
1. **Colt AR-15 and H&K MP-5-** Members of the force trained on the Colt AR-15 and the H&K MP-5 must train with these weapons at least four times during the calendar year. At a minimum, two of those occasions are to be used for qualification purposes. There can be no less than two months between each qualification session.
2. **Remington 870P-** Members of the force trained on the Remington 870P must qualify with the weapon twice a year. This qualification session takes place during biannual in service training sessions.

If a member of the force fails to qualify with any of the Special Weapons, remedial training will be administered. If after remedial training the member of service is unable to qualify with any special weapons, he/she will be unable to utilize those special weapons until they successfully qualify.

The Firearms Training Unit will notify Commanding Officers of non-qualified members of their command.



Michael A. Fedorko
Superintendent of Police/
Director, Public Safety Department





THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

		Date Issued: 4/24/13
Section:	500- Uniforms and Equipment	Date Revised:
Issuing Authority:	Michael A. Fedorko, Superintendent	Procedure No: 500-04
Subject:	Bio-Watch Program and Procedures	Page(s): 1 of 9 + 10 attachments

PURPOSE

Bio-Watch is an early warning system designed to detect an aerosolized biological agent release or event. A positive indication from the Portable Sampling Unit (PSU) may be used to:

- *Trigger additional disease surveillance*
- *Implement interventions to mitigate risk*
- *Minimize disease outcomes-through the administration of prophylaxis or early treatment*
- *Initiate law enforcement activities or investigations*

SCOPE

Bio-Watch Portable Sampling Units are now in operation at the following Port Authority Operated Locations:

- *The Port Authority Bus Terminal*
- *The World Trade Center PATH Station*
- *The 14th Street PATH Station*
- *The 33rd Street PATH Station*
- *The Hoboken PATH Station*
- *The Pavonia PATH Station*

Portable Sampling Units utilize air suction pumps and filters to collect DNA from any Biological Threat Agents (BTAs) present in the air. Samples are collected from PSU filters on a daily basis. Collected PSU filters are tested for the presence of BTAs at the New York Department of Health & Mental Hygiene Public Health Laboratories (PHL), and the New Jersey Department of Health and Senior Services (NJ

DOHSS).

DEFINITIONS

Bio-Watch Actionable Result: Once a PSU filter tests positive for DNA from a Bio-Watch agent, this will trigger the mobilization of Environmental Sampling Teams (ESTs) to confirm, characterize the incident, and estimate the potential at risk population.

What a BAR Means

- *The filter contains genetic material from a bio-watch agent*
- *Additional information is required to characterize the event*

What a BAR Does Not Mean

- *A terrorist attack has occurred*
- *A viable BTA was released (with the ability to grow)*
- *The population has been exposed*

Public Health Laboratory: (PHL) Facility that the collected PSU filter and swipe samples collected by members of the Environmental Sampling Teams are received for analysis and examination.

Environmental Sampling Teams (EST): For Bio-Watch events, Sampling Teams will be deployed based on operational needs. EST staffing will depend on the type of event, phase of incident, and level of response required. Environmental Sampling Teams will be formulated across multiple agencies, consisting of personnel from the PAPD ESU, NYPD ESU, NJSP, NY DEP, and NJ DOHSS.

Sampling Team Members Roles:

Sampler:

- *Sample surfaces*
- *Place all samples in container*
- *Cautious not to contaminate other EST members while placing samples in containers*

Assistant:

- *Provide all sampling materials to the sampler*
- *Add any additional information to sampling paperwork.*
- *Decontaminate all sample bags with a bleach solution*
- *Insert bagged samples into property bag,*
- *Give bagged samples to runner for immediate delivery to the respective Health Lab*

Scribe/Safety Person:

- *Alert the Sampler/Assistant of any safety issues or concerns*
- *Take additional notes on any observations and conditions noted, including specific sample locations and sample areas*
- *Potentially take photos for evidentiary purposes and to document sampling locations*
- *Potentially hand off samples to the runner for immediate delivery to the PHL*

DEP/DOH Sampler:

- *Collect the filter holder from the PSU where the BAR was detected and replenish the PSU*
- *Collect the filter holder immediately after the first composite sample is collected*
- *Place the PSU which indicated the BAR in a red Bio-Hazard bag and leave in place*
- *Set up a clean PSU with a new filter holder*

The Runner:

- *Not part of the sampling team and will not enter the sampling operational zone (Hot Zone)*
- *The runner will receive all decontaminated sample packages from the assistant or safety person/scribe and facilitate immediate delivery of the samples to the PHL*
- *Transport the filter holders to the PHL or NJ DOHSS*

PLAY BOOK: A set of procedural guidelines created to specify additional collection sites within a given PATH Station or the PABT after a BAR has been declared. Collection sites were created after extensive airflow studies of the Stations to determine the most prudent areas to swab test for additional information and analysis. All sample collection locations are represented within the playbooks in pictorial form.

Portable Sampling Unit (PSU): *The principal aerosol sampler for the Bio-Watch program.*

Bio-Threat Agent (BTA):

1. **Bacteria:** Typically 1 to 10 microns in size, and can reproduce themselves in the right environmental conditions
2. **Viruses:** Non cellular, and cannot reproduce themselves-need a host
3. **Toxins:** poisonous substances secreted by some organisms

Category A BTAs:

High priority agents include organisms that pose a high risk to national security because they can:

- *Be easily disseminated or transmitted from person to person*
- *Result in high mortality rates and have the potential for major public health impact*
- *Potentially cause public panic and social disruption*
- *Require special action for public health preparedness*
- **Note: The BioWatch program will only sample for the presence of Category A BTAs**

Examples of Disease/Agents: Anthrax, Botulism, Plague, Smallpox, Tularemia, Viral Hemorrhagic Fevers.

Category B BTAs:

Second highest priority agents include those that:

- *Are moderately easy to disseminate*
- *Result in moderate morbidity rates and low mortality rates*
- *Require specific enhancements of CDC's diagnostic capacity and enhanced disease surveillance*

Examples of disease/Agents: Brucellosis, Food Safety Threats (Salmonella, Escherichia coli) Glanders, Q-Fever, Ricin Toxin, Staphylococcal Enterotoxin B, Typhus Fever, Viral Encephalitis, Water Safety threats (Vibrio Cholerae)

Category C BTAs:

Third highest priority agents include emerging BTAs that could be engineered for mass dissemination in the future because of:

- *Availability*
- *Ease of Production and Dissemination*
- *Potential for high morbidity and mortality rates and major health impact*

Examples of Disease/Agents: Emerging infectious diseases such as Nipah Virus and Hantavirus

Strategic National Stockpile (SNS): Cache` of assorted medication and treatment equipment maintained for administration/dissemination in the event of confirmed/likely exposure to a Biological Incident or Material.

PROCEDURE

In the event of a positive indication from a Bio-Watch PSU after a filter collection, the New York City

Department of Health and Mental Hygiene (NYCDOHMH) or The New Jersey Department of Health and Senior Services (NJ DHSS) will notify the Central Police Desk via phone line. The Central Police Desk Sergeant will then notify the effected facility Tour Commander and the on duty Emergency Service Supervisor of the Bio-Watch Actionable Result (BAR).

INCIDENT RESPONSE:

The extent of the response to a BAR will be determined based upon the particular situation and exposure area. Based on the totality of the circumstances, several response components may be initiated.

- Establishment of the Incident Command Structure
- Multi-jurisdictional Investigation
- Environmental Sampling
- Emergency collection and testing of additional PSU filters
- Evacuations of the facility containing the positive PSU
- Evacuation of facilities sharing air space with the positive PSU facility
- Alteration of mass transit traffic patterns and operational schedules
- Coordinated conference call, initiated by either the NYC DOHMH and/or the NJ Department of Health and Senior Services respectively
- Public health response determined by the NYC DOHMH/NJ DHSS (Ex. Mass Prophylaxis)

MASS PROPHYLAXIS

In the event either the Center for Disease Control, NYC DOHMH or the NJ DHSS determines the necessity for Mass Prophylaxis resulting from a BioWatch Actionable Result, the following guidance is provided:

- The delivery location for the Port Authority Allotment of advanced/treatment prophylaxis medication will be determined in consultation with the Director of the Office of Medical Services, and consistent with existing Point of Distribution (POD) Plans.
- Dissemination of prophylaxis medications will be administered consistent with the POD Plan to all PAPD EST Members, potentially infected Port Authority Police and civilian employees, and additionally potentially infected non-PA employees and vendors under the auspices and direction of the Port Authority Office of Medical Services. (OMS)
- All treatment received/administered by outside medical agencies resulting from exposure to material associated with a BAR will be reported to the Port Authority Office of Medical Services. (OMS)

THE ROLE OF PAPD IN DELIVERY OF THE NYC SNS ALLOTTMENT OF MEDICATION

- The Strategic National Stockpile (SNS) of medication reserve will be activated by the NYC DOHMH
- The Central Police Desk will receive notification of the request for assistance from either the NYC OEM Office or the NYC DOHMH.
- The Port Authority Police Department will send representation/escort personnel to assist in transport of the necessary medication from the SNS storage location in Secaucus, NJ and facilitate passage through the designated Hudson River Crossing.
- Escort will be assumed by the NYPD upon arrival in New York City.

INCIDENT INVESTIGATION:

Investigation of the incident will be led by the FBI/JTTF with PAPD Detective Bureau and other applicable local jurisdictions in support.

PUBLIC HEALTH RESPONSE AND RECOVERY:

- The Public Health risk assessment, inclusive of the determination of potentially exposed populations and the need and extent of the public health interventions, rests with the NYC DOHMH/NJ DHSS
- DOHMH/NJ DHSS may consult with the CDC/NIOSH and additional state and federal partners and experts on all pertinent matters to determine the most prudent course of action
- DOHMH/NJ DHSS will rely on the assistance of law enforcement agencies to realize the public health plans
- The Port Authority Office of Medical Services will be the lead authority to determine medical treatment and options for exposed Port Authority Police and Civilian personnel. Initial prophylaxis administration, as well as subsequent follow up care, will be conducted at the guidance of the Port Authority Office of Medical Services.

PAPD ROLES and RESPONSIBILITIES:

Central Police Desk Sergeant:

Note: Upon notification of a BAR affecting a Port Authority Facility from either the NYC DOHMH or NJ DHSS:

- *Notify the affected facility Tour Commander*
- *Notify the on duty Port Authority Emergency Service Unit Supervisor*
- *Notify Commanding Officer of SOD*

- *Notify the Public Safety Department Senior Staff*
- *Notify the Office of Medical Services*
- *Notify Risk Management*
- *Notify Media Relations/Public Information Officer*

Facility Tour Commander

- *Obtain the exact identification and location of the PSU with the BAR*
- *Obtain the preliminary lab results pertaining to the identification of the organism or suspect disease*
- *Ascertain the possible time period of release or exposure*
- *Record any specific guidelines or instructions received from the respective Health Department*
- *Immediately notify the facility Commanding Officer*
- *Immediately notify the facility Operations Manager*
- *At the direction of the incident Unified Command, initiate an evacuation in coordination with facility Operations personnel and adjoining facilities with shared air space when necessary*
- *At the direction of the incident Unified Command, Initiate a "lock down" of the facility and establish a secure perimeter around the affected areas within the facility*
- *Establish an incident command post and notify CPD of the exact location*
- *Request additional Manpower in conjunction with PAPD Interim Order 2-2004 (Mobilization) or resources (Command Bus) if necessary*
- *Obtain roll calls and employee accountability information for dissemination to the Port Authority Office of Medical Services to ensure proper treatment is administered to potentially infected personnel*
- *Disseminate information to facility civilian supervisors to assist in the identification and notification of potentially exposed PA civilian and vendor employees to assist with the coordination and administration of mass prophylaxis*

Emergency Service Supervisor:

- *For a New York based incident, dispatch (1) Supervisor and (5) Emergency Service Police Officers to the NYC DOH staging area for coordination and briefing of the Environmental*

Sampling Teams

- *For a New Jersey based incident, dispatch (1) Supervisor and (5) Emergency Service Police Officers, coordinate a rendezvous location with the New Jersey Department of Health and Senior Services Department and The New Jersey State Police Hazardous Material Sampling Unit for the integration of the Environmental Sampling Teams*
- *Assume the position of Operations Section Chief within the Port Authority Incident Command*
- *Ensure all Bio-Watch collection duties and practices are in accordance with New York City Department of Health and Mental Hygiene (NYCDOHMH), The New Jersey Department of Health and Senior Services Department (NJDH SS), and Port Authority procedural guidance pertaining to documentation, sampling, safety, utilization of Proper Personal Protective Equipment (POI 5-12), and evidentiary guidelines.*

Office of Medical Service Responsibilities

- Coordinate with the Incident Commander/Emergency Operations Center to determine the type of agent.
- Ensure Medical safety of first responders.
- Increase communications with the EOC regarding casualties and treatment options.
- Provide routine reports.
- Depending on the suspected agent, check medical records/database to determine personnel with current vaccinations.
- Identify on-hand inventory, manpower, and other resources necessary for treatment
- Allocate necessary resources to conduct prophylaxis and treatment of exposed employees and EST members.
- Increase medical surveillance.
- Determine patient treatment course of action.
- Consider quarantine/isolation options where applicable.

REPORTS/DOCUMENTATION:

Facility Reports:

- Criminal Complaint Report/Non Criminal Incident Report (PA 2113)
- Aided Report (PA 2696)
- Radioactive Material Incident Report (PA 3974)

EST Documentation:

- NJ DOHSS HIP-5 (Laboratory Pre-Screening Worksheet)
- NJ DOHSS LAB-5 (Evidence Collection tracking Form)
- NYC DOHMH Chain of Custody Form
- NYC DOHMH Filter Holder Log
- NYC DOHMH Evidence Collection Tracking Form

MOBILIZED POLICE PERSONNEL:

- Will respond to the designated facility staging area and await assignment
- Augment effected facility Police manpower and assist with perimeter security, management of delineated press center, and evacuation corridors at the direction of the Incident Commander
- Assist local Police Agency with traffic details as required

PERTINENT CONTACT INFORMATION:

PAPD Central Police Desk: 201-239-3500

Howard Fisher, MD: 212-435-2680
OMS, Chief Medical Officer

Robin Martin: 212-436-8447
OMS, Medical Director

James Griglio: 862-373-6105
Police Lieutenant, PAPD, OEM

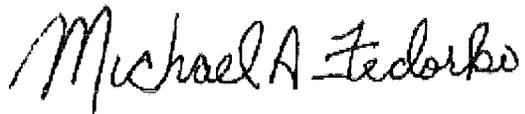
Harry Smith: 201-595-4689
Regional Planner, OEM

NJ DOHSS: 800-367-6543
NY DOHMH: 212-788-5261
Hudson County OEM: 201-319-3871
NJSP OEM: 609-882-4201
NYC OEM: 718-422-8700
NJ DEP: 877-927-6337
NYC DEP: 718-595-4646
U.S. Dept of Health & Human Services: 202-619-7800
NJ Bio-Watch Coordinator: 609-292-4548
NY Bio-Watch Coordinator: 212-447-2834

RELATED PROCEDURES

- Interim Order# 1-2002- Response To Biological Terrorism
- Interim Order# 2-2004- Mobilization Response

By Order of:



MICHAEL A. FEDORKO
Superintendent of Police/
Director, Public Safety Department

Pride

•

Service

•

Distinction

New Jersey Department of Health and Senior Services
New Jersey State Police HMRU

LABORATORY PRESCREENING WORKSHEET

A completed copy of this form **MUST** accompany each sample sent to the NJDHSS Laboratory.

Officer's Name		Date	Time
Department		Telephone Number	Police Case ID Number
Address		HAZMAT Case ID Number	
City	Zip	Sample Number	
Sample Collected At (Street Address)			
Screener's Name		Telephone Number	
Agency		Email Address	
DESCRIPTION OF MATERIAL			
<p style="text-align: center;">SOLID</p> <p>Approx. Weight: _____ G</p> <p>Check one:</p> <p><input type="checkbox"/> Soil <input type="checkbox"/> Powder <input type="checkbox"/> Paper <input type="checkbox"/> Envelope <input type="checkbox"/> Package</p> <p><input type="checkbox"/> Other (describe): _____</p>		<p style="text-align: center;">LIQUID</p> <p>Approx. Volume: _____ ml</p> <p>Check one:</p> <p><input type="checkbox"/> Water</p> <p><input type="checkbox"/> Other (describe): _____</p>	
<p style="text-align: center;">RADIOACTIVITY ASSESSMENT</p> <p>Radiation Present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Type of Meter: _____</p> <p>Last Cal. Date: _____</p> <p>Actual Reading and Unit of Measure: _____</p> <p>Distance: _____</p> <p>Meter will detect: <input type="checkbox"/> Alpha <input type="checkbox"/> Beta <input type="checkbox"/> Gamma <input type="checkbox"/> Neutron</p>		<p style="text-align: center;">VOC ASSESSMENT</p> <p>Type of PID Meter: _____</p> <p>Last Cal. Date: _____</p> <p>Cal. Gas: _____</p> <p>VOC Present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p style="text-align: center;">pH ASSESSMENT</p> <p>Type of Testing Device: <input type="checkbox"/> pH Paper <input type="checkbox"/> pH Meter</p> <p>Brand Name: _____</p> <p>Expiration Date: _____</p> <p>pH Results: _____</p>		<p style="text-align: center;">OXIDIZER ASSESSMENT</p> <p>Brand Name: _____</p> <p>Expiration Date: _____</p> <p>Results: _____</p> <p>Oxidizer Present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
OTHER ASSESSMENTS			
4 Gas Meter Results: _____ O ₂ _____ LEL _____ CO _____ Toxics _____		HAZCAT Results: _____	
Flammability Results: _____		Name of Test (Brand): _____	
Infrared Spectrometry: _____			
Anthrax Screening Test: _____			
DHSS Contacted by phone? <input type="checkbox"/> Yes <input type="checkbox"/> No			
DHSS Contact Person: _____		Time: _____	HIPER #: _____
Screener's Signature: _____			
Investigator's Signature: _____			
To contact the New Jersey Department of Health and Senior Services: Day: 609-610-6570 or 609-341-2000 Night: 1-800-327-6337			
CHAIN OF CUSTODY			
Received By: _____	Date: _____		
Agency: _____	Time: _____		
Received By: _____	Date: _____		
Agency: _____	Time: _____		
Received By: _____	Date: _____		
Agency: _____	Time: _____		

**New Jersey Department of Health and Senior Services, Public Health and Environmental Laboratories
REQUEST FOR TESTING OF SUSPECTED SELECT AGENTS AND CHAIN OF CUSTODY**

CLINICAL SPECIMENS/REFERRED CULTURE

NJDHSS CDS Case Number: _____

PHEL Accession Number (Lab Use Only): _____

Name of Requesting Agency/Institution: _____

Address: _____

City: _____

State: _____ Zip: _____

Phone: _____ Fax: _____

Name of attending physician: _____

Patient Name: _____
(Last) (First)

Gender: Male Female

DOB or Age: _____ Collection Date: _____
(MM/DD/YYYY) (MM/DD/YYYY)

Describe Specimen: _____

Bacteria Fungi Virus Parasite

Biochemical reactions (if applicable): Growth at 25°C 37°C

Gram stain	<input type="checkbox"/> + <input type="checkbox"/> -	Oxidase	<input type="checkbox"/> + <input type="checkbox"/> -	Colistin (R)	<input type="checkbox"/> + <input type="checkbox"/> -
Motility	<input type="checkbox"/> <input type="checkbox"/>	Catalase	<input type="checkbox"/> <input type="checkbox"/>	Indole	<input type="checkbox"/> <input type="checkbox"/>
Hemolysis	<input type="checkbox"/> <input type="checkbox"/>	Urease	<input type="checkbox"/> <input type="checkbox"/>	B-lactamase	<input type="checkbox"/> <input type="checkbox"/>

Suspected Select Agent: _____

NOTE: An NJDHSS approval (case) number is required for testing to proceed. To obtain case numbers for clinical specimens, call CDS at 609-826-5964, Mon-Fri., 8:00 AM to 5:00 PM; 609-392-2020 all other times.

ENVIRONMENTAL/OTHER SAMPLES

NJDHSS HIPER Case Number: _____

PHEL Accession Number (Lab Use Only): _____

Name of Requesting Agency/Institution: _____

Address: _____

City: _____

State: _____ Zip: _____

Phone: _____ Fax: _____

Sample Collected By: _____

Collection/Pick-Up Site: _____

Collection Date & Time: _____ / _____ AM PM
(MM/DD/YYYY)

Describe Sample: _____

Analysis requested (Suspected Select Agent): _____

NOTE: Environmental samples that test negative for Select Agents must be retrieved by a local or state law enforcement officer 30 days after result notification. Samples that are not claimed after 30 days will be destroyed.

I, _____ (submitter signature)

acknowledge this statement on _____ (MM/DD/YYYY)

NOTE: For environmental samples call HIPER at 609-341-2008, Mon-Fri., 8:00 AM-5:00 PM; 609-392-2020 all other times.

CHAIN OF CUSTODY

LAB-5
MAY 10

<input checked="" type="checkbox"/>	Relinquished by (Print): _____	Date: _____ Time: _____	<input checked="" type="checkbox"/>	Received by (Print): _____
<input checked="" type="checkbox"/>	Relinquished by (Signature): _____		<input checked="" type="checkbox"/>	Received by (Signature): _____
<input checked="" type="checkbox"/>	Relinquished by (Print): _____	Date: _____ Time: _____	<input checked="" type="checkbox"/>	Received by (Print): _____
<input checked="" type="checkbox"/>	Relinquished by (Signature): _____		<input checked="" type="checkbox"/>	Received by (Signature): _____
<input checked="" type="checkbox"/>	Relinquished by (Print): _____	Date: _____ Time: _____	<input checked="" type="checkbox"/>	Received by (Print): _____
<input checked="" type="checkbox"/>	Relinquished by (Signature): _____		<input checked="" type="checkbox"/>	Received by (Signature): _____
<input checked="" type="checkbox"/>	Relinquished by (Print): _____	Date: _____ Time: _____	<input checked="" type="checkbox"/>	Received by (Print): _____
<input checked="" type="checkbox"/>	Relinquished by (Signature): _____		<input checked="" type="checkbox"/>	Received by (Signature): _____

Filter Holder Log

Filter Holder Log

Filter Installation

Date _____	Time: _____	Unit # _____	Site Operator (print) _____
Filter Holder ID _____	On Arrival Filter Holder Bag Intact: <input type="checkbox"/> On Leaving Site: Holder Compartment Locked: <input type="checkbox"/> Fan on: <input type="checkbox"/> Pump Compartment Locked: <input type="checkbox"/>		
Elapsed Time Meter at Start: _____	Signature: _____		
Turn on Pump <input type="checkbox"/>	Flow Rate at Start: _____ lpm		
Comments/Field Flags: _____			

Filter Removal

Date _____	Time: _____	Unit # _____	Site Operator (print) _____
Flow Rate at Stop: _____ lpm	Turn off Pump <input type="checkbox"/>	On Arrival Physical Security Check: Holder Compartment Locked: <input type="checkbox"/> Fan on: <input type="checkbox"/> Pump Compartment Locked: <input type="checkbox"/>	
Elapsed Time Meter at Stop: _____	Clear Meter <input type="checkbox"/>	On Leaving Site: Sample Bag Sealed: <input type="checkbox"/> Fan on: <input type="checkbox"/> Pump Compartment: <input type="checkbox"/>	
Exposed Filter Holder ID _____	Signature: _____		
Remove Filter Holder Double Bagged: <input type="checkbox"/>	Comments/Field Flags: _____		

Evidence Collection Tracking Form

EVIDENCE COLLECTION/TRACKING FORM

Misc. 4237 (Rev. 07-03)-Penn

(DO NOT CONTAMINATE FORM)

Page ____ of ____

Date/Time of report _____ Complaint # _____ Pct. Occ. _____
 ESU Run # _____ WMD # _____ Hammer # _____ SEC. ENV. # _____
 ESU MOS (rank-name-tax #) _____ Collected evidence Yes No
 ESU MOS (rank-name-tax #) _____ Collected evidence Yes No
 Safeguarding MOS (rank-name-tax #-cmd.) _____
 Date/time of occ. _____ Time received _____ Time completed _____
 Location of occ. _____

PERSON (AND ORGANIZATION) MAKING COMPLAINT:

Name _____ Home Address _____
 Date of Birth _____ Sex _____ Tele. # _____ Alternate Tele. # _____
 Organization (name/address/tel. #) _____
 Alternate contact name/address/tel. # _____

DOES COMPLAINANT WANT THEIR PROPERTY BACK Yes No

Complainant's Name _____ Complainant's Signature _____

Name/address of hospital if applicable _____

ADDITIONAL EXPOSED PERSONS: Name/address/tele. # and alternate contact name/address/tele. #. If MOS, only list rank-name-tax #-cmd. Place asterisk (*) next to name of person(s) who had direct contact with the suspicious substance. If necessary use additional Evidence Collection/Tracking Form(s)

THREAT ASSESSMENT (circle one) Very High High Medium Low

Basis for Assessment _____

EVIDENCE COLLECTED: If necessary use additional Evidence Collection/Tracking Form(s)

Date/Time of collection _____ Collector's Signature _____

I.D. #	Detailed description of evidence and precise location where evidence recovered

Submission screened for Chemical Hazards Yes No Package Decontaminated Yes No

Submission screened for Explosives Yes No Submission screened for Radiation Yes No

MOS delivering to DOH Laboratory (rank-name-tax #-cmd.) _____

Signature MOS delivering to DOH Laboratory _____

Date/time received at DOH Lab _____ LAB ACCESSION # _____

Identity of DOH personnel receiving package _____

Signature of DOH personnel receiving package _____

ADDITIONAL COMMENTS: _____

ESU MOS preparing report (rank-name-tax #-cmd.) _____

Signature of ESU member preparing report _____

DISTRIBUTION: 1st Copy Laboratory 2nd Copy CTD/DOB 3rd Copy ESU 4th Copy Per. Del. Squad 5th Copy Delivering Officer



BioWatch Briefing Document

DOHMH Recommendations on Mass Transit Closure

BioWatch information is FOR OFFICIAL USE ONLY (FOUO). The information is Sensitive but Unclassified. Information should only be distributed on a "Need to Know" basis (i.e., disclosure to another party is considered necessary for that party to perform official assignments or tasks). The information that is considered FOUO includes (but is not limited to):

- Location and collection times of Portable Sampling Units (PSUs) (summary information is included in this document)
- Sensitivity and specificity of the analytical methods used (not included in this document)
- Biological agents monitored (included in this document)
- System vulnerabilities (i.e., how to make the system fail; information included in this document could be exploited for that purpose)
- Cycle Threshold (Ct) Values (not included in this document)

For more information on FOUO, including Department of Homeland Security (DHS) definitions, refer to: <http://www.fas.org/sgp/othergov/dhs-sbu-rev.pdf>

Summary of Initial Closure Recommendations

Location of Detection	DOHMH Recommendation	Justification
Single PSU Reports a BAR:		
Outdoor	Suspend operations at that location and at all subway stations within 1/4 mile, if applicable	Because only a single outdoor PSU is reporting a BAR would treat this as suspicious but needing more confirmatory information. Subway stations are recommended to close to conduct environmental sampling.
Indoor Transit Hub	Suspend operations at that indoor transit hub, including collocated subway station(s)	Because only a single indoor PSU is reporting a BAR would treat this as suspicious but needing more confirmatory information. Would work to develop a hypothesis on why only one of multiple indoor PSUs reported a BAR. Collocated subway stations are closed to conduct environmental sampling.
Subway	Suspend operations at that station and 10 stations in both directions, as well as cross town connections (river-to-river) within that zone	Because only a single indoor PSU is reporting a BAR would treat this as suspicious but needing more confirmatory information. Modeling has shown the persistence of material in the environment for longer time frames, as compared to the above ground environment, due to less intermixing of air. Modeling has also shown material will transport over large distances, hence 10 stations in each direction closed. Recommendation is in alignment with MTA's plans.
Multiple PSUs Report a BAR:		
Outdoor	Suspend operations at those locations and all subway stations within 1/4 mile, if applicable	Because multiple PSUs are reporting a BAR would treat this as highly suspicious but still needing confirmatory information. Impacted subway stations are recommended to close to conduct environmental sampling.
Multiple PSUs in one Transit Hub OR Multiple Indoor Transit Hubs	Suspend operations at indoor transit hubs where at least one PSU reported a BAR, including collocated subway station(s)	Because multiple PSUs are reporting a BAR would treat this as highly suspicious but still needing confirmatory information. Impacted subway stations are recommended to close to conduct environmental sampling. Since all other PSUs not reporting a BAR, there is no evidence that the BTA has spread to other locations.
Multiple Subway PSUs OR multiple PSUs with at least one Subway PSU	Suspend operations for the entire subway system	Because multiple PSUs are reporting a BAR would treat this as highly suspicious but still needing confirmatory information. NYC subway modeling has shown the persistence of material in the subway environment for longer time frames, as compared to the above ground environment, due to less intermixing of air. NYC subway modeling has also shown material will transport over large distances with extensive spread. Recommendation is in alignment with MTA's plans.

DOHMH Recommendations on Mass Transit Closure

Guiding Principles

The New York City Department of Health and Mental Hygiene (DOHMH) is charged with developing the Public Health Assessment during an emergency¹. The following recommendations are based on the agency's assessment of the risk posed by an aerosolized biological threat agent (BTA) under various scenarios and detected by the BioWatch program. A detection by the BioWatch program is referred to as a BioWatch Actionable Result (BAR). At the time of a BAR there will (most likely) not be enough information to determine whether the BAR represents the actual release of a BTA. However, the City and the stakeholders of the NYC BioWatch program look to DOHMH for initial recommendations on protection of workers and the public. Hence, this document will provide default recommendations for various scenarios to be considered by DOHMH leadership and tailored to the specifics of the incident. **The goal of these recommendations is to balance limiting the public health impacts from a possible BTA release (i.e., reducing morbidity and mortality) with the potential harm caused by shutting down mass transit unnecessarily.**

The New York City Mass Transit System, (which consists of commuter rails, subways, buses, and ferries) is important to the daily functioning of the city as well as to any citywide emergency response. The BioWatch array of Portable Sampling Units (PSUs) in the city as a whole, and within the mass transit system in particular, is sparse. There are currently 39 PSUs citywide, of which 12 are in three indoor transit hubs (Grand Central Terminal, Penn Station and Port Authority Bus Terminal) and 10 are in subway/PATH stations. In comparison, there are 468 subway stations². As a result, when a BAR is reported and decisions about mass transit closure must be made, there will be insufficient data to make fully informed decisions. Decisions will be made based on the limited available information and continuously refined as additional information becomes available.

The following closure recommendations are based on a graduated approach. A BAR reported from a single PSU will be viewed as suspicious but needing more confirmatory information and therefore resulting in a modest/limited mass transit closure. A BAR from multiple PSUs will be viewed as highly suspicious yet still needing additional confirmatory information before a complete closure of the subway and/or all commuter rails would be recommended. If a BAR is corroborated by additional information, this will lead to additional closures, potentially including a citywide shutdown of all subway and commuter rails. The basis for this graduated approach is 1) to avoid unnecessary damage and hardship if the BAR resulted from false positive laboratory results, and 2) if real, to enable as many mass transit systems to operate for as long as possible, facilitating the movement of people both within and out from the city to home communities, in support of the citywide response to such an incident.

Initial Closure Recommendations in Detail

For a BAR reported from a single PSU: DOHMH will initially limit mass transit closure recommendations to the location where the PSU reported a BAR and in locations where environmental sampling will be conducted. If the PSU reporting the BAR was at a MTA NYC Transit Subway station, DOHMH would recommend closing that subway station and 10 stations in all directions, (this recommendation is in alignment with what MTA will be recommending for the subways). A single PSU reporting a BAR in the subway should not trigger an immediate citywide shutdown of the subway. DOHMH will recommend no additional closures – commuter rail and bus lines (LIRR, MetroNorth, NJ Transit Trains and Buses) would not be recommended to suspend operations unless there was a detection at an indoor transit hub where they operate (Penn Station, Grand Central, or Port Authority Bus Terminal). MTA NYC Transit Buses will never be recommended to suspend operations during this initial phase. PATH trains will only be recommended to suspend operations if there is a detection in that system; single PSU detection would result in limited closure at that station and along that line. DOHMH would treat this scenario as suspicious, while simultaneously looking to develop an explanation for why the BAR was only reported from a single PSU.

For a BAR reported from multiple PSUs: DOHMH will initially limit closure recommendations to the locations where the PSUs reported a BAR and at locations where environmental sampling will be conducted. Additionally, if at least one of the PSUs yielding a BAR is in the subway system, DOHMH will recommend suspension of all subway service. DOHMH will recommend no additional closures – commuter rail and bus lines (LIRR, MetroNorth, NJ Transit Trains and Buses) would not be recommended to suspend operations unless there was a detection at an indoor transit hub where they operate (Penn Station, Grand Central, or Port Authority Bus

DOHMH Recommendations on Mass Transit Closure

terminal). MTA NYC Transit Buses will never be recommended to suspend operations during this initial phase. PATH trains will only be recommended to suspend operations if there is a detection in that system; if at least one of the PSUs yielding a BAR in a multiple PSU BAR scenario is in the PATH system, DOHMH will recommend suspension of the entire PATH system. DOHMH would treat this scenario as highly suspicious, with multiple PSUs reporting a BAR providing additional confidence in the need to respond in a manner consistent with a potential BTA release.

Above ground mass transit systems: For those scenarios in which DOHMH is recommending a limited or complete subway and/or commuter rail closures, the above ground mass transit systems (i.e., NYC Transit Buses and Ferries) should remain operational.

Initial Recommendations Only: The recommendations in this document are to be used during the initial phase of the response when the BioWatch PSU filters are the primary or exclusive data source and will be refined based on incident specifics. If corroborating information, (i.e., suspected or confirmed clinical cases, syndromic surveillance, law enforcement intelligence, or results from environmental sampling activities) are suggestive of or confirm that a BTA has been released, DOHMH will modify closure recommendations, including potentially recommending the suspension of all subway and commuter rail service city-wide.

Length of Closure Recommendations: All recommendations to close specific indoor and subway locations will remain in effect until results from environmental sampling are available, and are not automatically rescinded after sampling activities have been completed. Locations that are recommended to close should not have train traffic pass through them. If sampling confirms the presence of a BTA, the closure will remain in effect until a remediation and re-occupancy plan has been implemented. If sampling does not confirm the presence of a BTA, the decision on whether to rescind the closure recommendation will be made based on the totality of information, and may be delayed until repeated sampling operations have failed to detect the BTA in the environment being tested. (Note: there are no federal standards for how many times to repeat sampling activities before a negative [-] sampling result is viewed as a true negative [-]).

Considerations Used to Develop DOHMH's Closure Recommendations

Source Material: In developing these recommendations DOHMH utilized the Urban Dispersion Program (UDP) (conducted from 2004-2007 by a consortium of national laboratories and other organizations and funded by the Department of Homeland Security) which studied the movement of perfluorocarbon gas tracers both at street level and in the subways³, as well as the New York City Subway and Commuter Rail Biodetection Needs Assessment⁴ which made its recommendations on feasible and scientifically sound biological defense options for the subway and commuter rail networks in July 2008.

Inter-Connectedness of Above and Below Ground Environments and Single vs. Multiple PSU BARs: A 2007 UDP report stated "[t]he shallow nature of the subway, coupled with the large number of vents connecting the subway with the surface results in the NYC subway being intimately coupled to the above ground atmosphere."⁵ A separate 2006 UDP report stated, "[s]ubway studies showed that there was exchange of tracers between the subway and above ground. Subway concentrations of tracers released above ground were found as far as a mile south ("upwind") of the release location."⁶ The NYC Subway and Commuter Rail Needs Assessment concluded that greater than 60% of the BTA mass released in the subway would be vented to street level and mostly within 90 – 120 minutes⁷. From this, DOHMH is assuming that any release above ground will migrate below ground into the subway system, and vice versa. Therefore, a BAR that is reported from only a single PSU (while not impossible) is both harder to interpret and more challenging to explain, and would lead to more uncertainty about whether a BAR reported from a single PSU signified a genuine detection of a BTA release.

Recommendations on Citywide Subway Shutdown: DOHMH's recommendation to suspend operations for the entire subway system when multiple PSUs yield BARs, including at least one BAR in the subway system, is based on the above UDP findings from both reports, the NYC Subway and Commuter Rail Biodetection Needs Assessment, as well as additional considerations about the possible BTA air concentration levels that could be present in the subway as compared to outdoors. The 2006 UDP report stated:

DOHMH Recommendations on Mass Transit Closure

The data shows that the tracer released above ground diminishes to low above-ground levels ½-hour after the release stopped, and the concentrations in the subway remain relatively high after the release stops.... Subway concentrations diminish much less rapidly over distance than above ground released due to the restricted volume for mixing.⁸

The current BioWatch system includes a reporting delay between the time when a potential BTA release occurs and the time a BAR is reported. This delay ranges by PSU location from 12 hours for indoor transit hub PSUs and one subway PSU, to 36 hours for outdoor PSUs and all other subway PSUs. The UDP used Intense Observation Periods (IOPs) that only lasted six hours⁹. There is insufficient data to make public health determinations about conditions in the subway by the time DOHMH is aware of a potential release of a BTA.

More than 5 million people use the subway every work day.² Any effective release of an aerosolized BTA in the subway could result in aerosol transport of the BTA through and across subway lines as well as extensive above ground, line-source releases from sidewalk grates and subway entrances. Hundreds of thousands of persons or more could be exposed. Therefore, subway closure recommendations will be made using an abundance of caution, though the threshold for taking the highly significant step of shutting down the entire subway (and commuter rail systems) will be lowered once there is sufficient evidence that BTA transport in the subway has taken place.

Recommendations on Indoor Transit Hub Closures: DOHMH would not initially recommend closing all transit hubs citywide for a BAR reported from a single PSU or multiple PSUs and will limit closure recommendations only to those locations with PSUs yielding BARs. Unlike in the subway system, there are a significant number of PSUs in each of the three indoor transit hubs. This provides more information and higher resolution situational awareness at these locations. DOHMH will take into consideration all available data when making transit closure recommendations, including which PSUs do not report BARs. If the PSUs at indoor transit hubs do not report a BAR, DOHMH will presume that the BTA is not present in those locations and was not present during the PSU sampling period and will recommend those facilities remain open. The intended benefit of this position is that indoor transit hubs without BARs will remain operational, facilitating continuity of commerce and transport in the event that the BARs were caused by false positives and, if the result of detection of a genuine BTA incident, this policy would enable transport of individuals within and out of the city for mass prophylaxis operations.

Stack Effect and Reverse Stack Effect: There are seasonal air circulation patterns within the indoor transit hubs that predict the direction of the flow of air into or out of the underground subways. During the heating season, when the transit hubs are using their heating systems and the temperature indoors is significantly warmer than the temperature outdoors, the anticipated flow of air is rising from subways into the building and is referred to as the "stack effect". During the cooling season, when these facilities are using their cooling systems and the temperature indoors is significantly cooler than the temperature outdoors, the anticipated flow of air is downward from the building into the subways, and is referred to as the "reverse stack effect". The stack effect has a more significant impact on the movement of air than the reverse stack effect. Regardless of the season and temperature, these facilities are always using their air handling systems to bring in "fresh" air from the outside into the building and venting air outside. The exchange rates of outside air range from 20%-100% depending on a variety of factors including outdoor temperature and humidity levels. DOHMH will consider seasonal air flows after BARs when characterizing incidents with testable hypotheses.

Above Ground Transportation Recommendations: There is no evidence to suggest that operators or passengers of above ground transportation are at increased risk, as compared to the rest of the city residents, from a BTA that is detected in the subway or indoor transit hub, or even from an outdoor PSU in another part of the city. The underlying premise is not that there is no risk¹⁰, but that the risk is comparable to that of all other workers and residents, therefore DOHMH would recommend above ground transport continue to operate to minimize the impact on mass transit and facilitate response operations.

DOHMH Recommendations on Mass Transit Closure

Unknown Variables: There are a number of variables that are important to consider when characterizing a BTA incident that would be unknowable at the time a BAR is reported and thus unknown when an initial recommendation on transit closure would need to be made. These include:

- Whether a BTA was actually released; if there was a release:
 - Quantity (i.e., mass) of material released
 - Quality of the material released (e.g., how finely milled is the material, which will impact the size of spores for spore-forming agents)
 - Location of release (only location(s) of detection will be known)
 - Whether the material released was alive and capable of causing disease (it is possible for BioWatch PSUs to detect DNA from a dead organism, and it will be unclear whether the material was dead at time of release or alive when released and died in the environment due to factors such as desiccation)
 - Whether the BTA strain causes disease (e.g., the vaccine strain of *B. anthracis* is not pathogenic)

¹ Citywide Incident Management System (CIMS)

² MTA.info [Internet]. <http://mta.info/nyc/facts/ridership/index.htm>

³ Sullivan, T.M., et al. *Perfluorocarbon Gas Tracer Studies to Support Risk Assessment Modeling of Critical Infrastructure Subjected to Terrorist Attacks*. NATO Advanced Research Workshop: "Computational Models of Risks to Infrastructure", May 2006.

⁴ Leykam, F., et al. *New York City Subway and Commuter Rail Biodetection Needs Assessment Final Report*, July 2008

⁵ Heiser, J. et al. *Perfluorocarbon Tracer Dispersion Studies in the New York City Subway System*. Brookhaven National Laboratory Report, BNL-77946-2007 [FOUO], April 2007. Page 4.

⁶ Sullivan, T.M., et al. *Perfluorocarbon Gas Tracer Studies to Support Risk Assessment Modeling of Critical Infrastructure Subjected to Terrorist Attacks*. NATO Advanced Research Workshop: "Computational Models of Risks to Infrastructure", May 2006. Page 12.

⁷ Leykam, F., et al. *New York City Subway and Commuter Rail Biodetection Needs Assessment Final Report*, July 2008. Page 14.

⁸ Sullivan, T.M., et al. *Perfluorocarbon Gas Tracer Studies to Support Risk Assessment Modeling of Critical Infrastructure Subjected to Terrorist Attacks*. NATO Advanced Research Workshop: "Computational Models of Risks to Infrastructure", May 2006. Pages 10 and 12.

⁹ Sullivan, T.M., et al. *Perfluorocarbon Gas Tracer Studies to Support Risk Assessment Modeling of Critical Infrastructure Subjected to Terrorist Attacks*. NATO Advanced Research Workshop: "Computational Models of Risks to Infrastructure", May 2006, page 5.

¹⁰ In fact there is considerable risk for everyone above ground, as demonstrated by the New York City Subway and Commuter Rail Biodetection Needs Assessment, which estimated that greater than 60% of the BTA mass from a subway release would be vented above ground.



THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

*Replaces: PDI 7-3	Date Issued: 03/06/13
Section: Uniforms and Equipment	Date Revised:
Issuing Authority: Michael A. Fedorko	Procedure No: 500-05
Subject: PERSONAL FIREARMS REGISTRATION	Page(s): 1 of 5

Copy to: J. Dunne, T. Belfiore, J. Speziale, C. Dickey, J. Ryan, M. Gardner, PBA, DEA, SBA, LBA, and file

I. INTRODUCTION

This General Order outlines the procedures to be followed whenever a member of the force acquires or disposes of a personal firearm. It describes the method of registration, and defines the individuals to whom the Superintendent of Police has delegated authority to ensure that all personal firearms owned by members of the force are registered.

II. POLICY

All personal firearms owned by members of the Port Authority Police must be registered with the Superintendent of Police within ten (10) days of acquisition; failure to do so will result in discipline. All firearms must be approved by the Range Master and meet the specifications set forth by the Port Authority Police Department.

III. DEFINITIONS

- A. Police Equipment Sergeant - The Equipment Sergeant shall have the authority to register firearms in compliance with Port Authority rules and regulations and the laws of New York and New Jersey.
- B. Inspecting Range Master - Members of the force assigned to the Firearms Range as Range Master shall have the authority to inspect and test fire those weapons which are authorized to be carried while off duty and on duty.
- C. Personal Firearms - Personal firearms as related to this policy are defined, as being all handguns (pistols/revolvers) owned by members of the force, exclusive of the service firearm.

- D. Off Duty Firearm - A Port Authority Police Department approved firearm, registered as a personal firearm and certified by test firing at the Port Authority Firearms Range. This firearm can be carried on an officer's person while off duty status, and can be used as a second-firearm while on duty.

IV. PERSONAL FIREARMS REGISTRATION PROCEDURE

- A. For each firearm to be registered, Part I of Form PA 2815, "Personal Firearm Registration" shall be completed and signed by the officer.
 - 1. Forms are obtainable upon request from the Equipment Sergeant at Police Headquarters and on E-net.
- B. Each firearm to be registered must be presented unloaded to the Equipment Sergeant or designee for inspection.
 - 1. This inspection will consist of comparing the make, caliber, model and serial number with Part I of Form 2815, which describes the weapon.
- C. Each unloaded firearm presented for registration must have accompanying it:
 - 1. Proof of ownership; such as a bill of sale, or memorandum of transfer.
 - 2. A document indicating the authority by which the person who previously owned the weapon had the right to possess it. This could be:
 - a. A firearm dealer's permit number;
 - b. another police officer's command and shield number;
 - c. a private citizen's permit number.

V. OFF DUTY FIREARMS & SECOND FIREARM WHILE ON-DUTY

- A. For any firearm that the owner intends to carry as an off duty firearm or wear as a second firearm on duty, a Range Master must make an inspection and test fire.
 - 1. After having the unloaded firearm checked by the Equipment Sergeant, the owner, if he intends to carry it as an off duty firearm or wear it as a second firearm while on duty will report to the Port Authority Police Firearms Range with the weapon and copies of PA Form 2815.
 - 2. The inspecting Range Master will check Form PA 2815 to make sure that the unloaded firearm presented is the same as described and will then:
 - a. Enter the officer's name, the make, model and serial number of the

firearm on the Firearms Qualification Record, PA Form 1988;

- b. Conduct an inspection of the unloaded firearm to check for mechanical faults;
 - c. Test fire at least 10 rounds to ascertain if the firearm is operable and the sights are proper;
 - d. Account for the ammunition expended for "other than qualification" in the ammunition log.
3. At the successful completion of the test, the inspecting Range Master will return the unloaded firearm to its owner and complete Part II of Form PA 2815 by checking off the appropriate box, signing the bottom of Part II of the copies, and forwarding the appropriate papers to the Equipment Sergeant at Police Headquarters for processing.
 4. Upon approval of the weapon as an off duty firearm or as a second firearm while on duty, the Range Master will issue ammunition to the owner and require that the officer qualify with the weapon, attaining a minimum score of 80%.
 5. Should the test prove unsuccessful, the inspecting Range Master will check off the appropriate box of Part II of Form PA 2815 and sign the bottom of Part II. The Range Master will then inform the officer the reasons why the weapon was not approved and suggest that the firearm be repaired or disposed of. The Range Master will then forward all copies of Form PA 2815 to the Equipment Sergeant, which will complete the registration as a personal weapon, pending the owner's disposition of the weapon.
 6. A weapon previously owned by a member of the force must be presented again for test firing by the new owner.

VI. FINAL REGISTRATION

- A. The official registration is accomplished by the completion of Part III of the form by the Police Equipment Sergeant for those firearms which qualify as personal firearms in Part I of Form PA 2815 and for those that qualify for use as off duty or as a second firearm while on duty, on both Part I and Part II of Form PA 2815. The Equipment Sergeant will confirm that:
 1. Part I of the form is proper for personal firearms, and will then sign all copies at the bottom of Part III;
 2. Check that Part I & II are proper for the weapon to be worn off duty or a second firearm on duty, will sign all copies, at the bottom of Part III and;

3. Additionally, after determining that a firearm was not found acceptable to be carried off duty or as a second weapon on duty, he/she will inform the officer of this fact; then sign all copies at the bottom of Part III. (Under such circumstances, the firearm is still considered a personal firearm and must be registered).
- B. The final signature by the Equipment Sergeant completes the registration. The Equipment Sergeant will then:
1. Retain the original for Police Headquarters files;
 2. Have the duplicate copy placed in the firearm owner's personal file;
 3. Give the firearm owner his/her personal copy;
 4. Notify the NYS Police of the personal weapon via C-form (NYS Acquisition or Disposition of Firearms by Police Officers & Peace Officers);
 5. Fill out form PA 2330 "Police Personal Weapon Registration Card".

VII. DISPOSAL OF REGISTERED FIREARMS

- A. Part I of Form PA 2815 will be completed and submitted to the Police Equipment Sergeant whenever a registered firearm is sold, exchanged or otherwise disposed of. The Equipment Sergeant will then:
1. Sign Part III of all copies;
 2. Distribute all copies as outlined in section IV B;
 3. Change his/her records and notify the NYS Police via C-form and the Range Master.
- B. Weapons may only be transferred to:
- a. Police Officers, (if residents of the same state);
 - b. Licensed firearms dealers; or
 - c. Persons possessing a police firearms permit, and in compliance with the laws of New York and New Jersey and section VIII (7) of this instruction.

VIII. GENERAL

- A. All members of the force are reminded that their authority to possess firearms on one's person carries with it the responsibility for safeguarding the weapon.
1. Loss or theft of a firearm must be promptly reported to the local precinct or municipality where the loss/theft occurred and to the Superintendent of

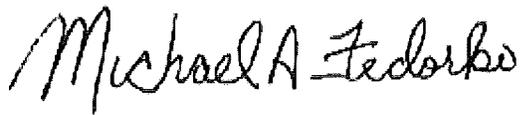
Police.

2. Safety must always be practiced while handling firearms.
3. The loaning or borrowing of firearms is strictly prohibited.
4. Members of the force residing in the State of New Jersey must obtain a "Permit to Purchase" from the local police municipality of residence before a firearm can be purchased. A person to whom ownership of a personal firearm is transferred to must also possess this permit.
5. In the State of New York, identification as a police officer is sufficient to purchase a firearm. However, in disposing of a personal firearm the person to whom transfer is made must have legal authority to possess a weapon.
6. Upon termination as a uniformed member of the force, personally owned firearms registered with this department will be turned over, if required to the Equipment Sergeant.
7. Federal law prohibits the sale of a weapon from one state to another, except by firearm dealers. It is therefore prohibited for a New York state resident to sell a weapon to a New Jersey resident, and vice versa, unless the officer sells the weapon to a dealer in his state, who would then sell the weapon to a dealer in another state. The purchaser can subsequently obtain the weapon from the dealer in his state.

Related Procedure(s):

Interim Order #3-09 (Service and Personal Weapons)

PDI #4-12 (Revolver Inspections at Roll Calls)



Michael A. Fedorko
Superintendent of Police/
Director, Public Safety Department





THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

Replaces: I.O. 3-09	Date Issued: 06/03/13
Section: 500- Uniforms and Equipment	Date Revised:
Issuing Authority: Michael A. Fedorko	Procedure No: 500-06
Subject: SERVICE AND PERSONAL FIREARMS	Page(s): 1 of 2

PURPOSE

To inform all members of the Port Authority Police of the authorized department issued service firearm and off-duty handguns.

POLICY

All members of the Port Authority Police are required to carry the issued service firearm while on duty. The issued service firearm is the Glock Model 19. Members assigned to non-uniformed duties or authorized by the Superintendent of Police may be issued a Glock Model 26.

AUTHORIZED OFF-DUTY HANDGUN

All off-duty handguns must be 9mm and double action only. An authorized off-duty handgun may be carried as a second on-duty handgun provided only the issued service firearm is visible.

REQUIRED USE AND SAFETY PROCEDURE

No modifications of any kind will be made to the issued service firearm.

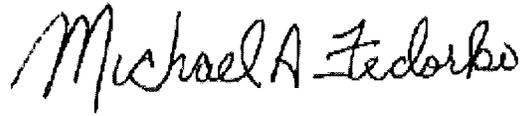
Only Winchester Ranger T 147gr JHP (RA9T) ammunition is authorized for use in the issued service firearm.

Off-duty handguns must remain concealed at all times. The off-duty handgun must be carried in a holster specifically designed for that particular handgun. The holster must be securely attached to the officer in order to prevent the loss of the handgun.

The only authorized ammunition for off-duty handgun qualification and carry is the same as the issued service firearm.

Members of the force who possess an authorized off-duty handgun must qualify on the Port Authority Police Department approved off-duty qualification course.

Off-duty handguns may not be modified without the approval of the Firearms Training Unit.

A handwritten signature in black ink that reads "Michael A. Fedorko". The signature is written in a cursive style with a large initial 'M'.

Michael A. Fedorko
Superintendent of Police/
Director, Public Safety Department

POLICE PATROL GUIDE

ARRESTS

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I. INTRODUCTION

This instruction prescribes the forms to be used and procedures to be followed in reporting and recording incidents of criminal activity, which concern the Port Authority Police Division. The following items are covered:

1. The receipt by police personnel of reports of criminal activities.
2. Blotter entries to be made.
3. Preparation of arrest cards (Form 2641).
4. Preparation of distribution of the Criminal Complaint Report (Form 2113).
5. Criminal Complaint Follow-Up Report (Form 2113B).
6. Daily Resume of Criminal Complaint Reports (Form 2637).
7. Master Name Index Cards (Form 2636).

Included also are instructions for the processing and recording of these forms by the Criminal Records Section, Police Division and for the preparation of summary reports by this section.

II. PURPOSE

The purpose of this instruction is to obtain prompt and adequate reporting on criminal activity through form standardization so that by careful analysis we may attain effective criminal repression.

III. POLICE BLOTTER ENTRIES

- A. Whenever any member of the Port Authority Police Force receives a report of criminal activity which has occurred, or allegedly occurred, at a Port Authority facility, or whenever a suspect in a criminal case is apprehended at a Port Authority facility, a police blotter will include the C.C.B. case number which has been assigned and the arrest number, where applicable. A sample blotter entry appears below:

0210 hours	At 0155 hours, John Doe, age 43 of 42-22 28 th Street, Flushing, Long Island, was loud, boisterous and profane in the waiting
ET #239-75	room, main concourse Arrest 29, (add section violated) by police officer
Harassment	William Smith, Shield #1509.

The time "0210 hours" in the margin indicates the time the blotter entry was made. BT 239-75 indicates the C.C.R. case number for the year 1975. "Harassment" indicates the offense of Harassment. Arrest "29" in the main entry indicates that the arrest made in this case was the twenty-ninth at the Bus Terminal during the year.

B. Juvenile Offenders

The name of the juvenile arrested will be omitted when the information obtained from the C.C.R. is entered into the Police Blotter.

C. Off-Duty Arrests¹.

1. All off-duty arrests, off Port Authority property, will be entered into the facility Police Blotter of the arresting officer's command. The C.C.R. number and arrest number for such arrests will be obtained from the Criminal Records Section of the Police Division.
2. Off-duty arrests, on Port Authority property, will be entered into the facility Police Blotter of the affected facility utilizing that facility's C.C.R. number and arrest number. In the event the facility of arrest does not have an assigned Police Unit, the C.C.R. number and arrest number will be obtained from the Criminal Records Section of the Police Division.

Appropriate Police Blotter entries will also be made at the arresting officer's facility of assignment in the event that the arresting officer is not assigned to the facility of arrest.

IV. ARREST CARD PORT AUTHORITY FORM 2641 - USE - IDENTIFICATION - PROCESSING

Port Authority Arrest Card, Form 2641, will be prepared whenever a physical arrest is made by Port Authority Police. This does not include cases where out of state residents are summarily arrested in New Jersey for traffic infractions. The usual summons record procedures will be followed in all cases of motor vehicle violations except when a violator is charged with "Driving While Intoxicated", or "Driving While Impaired", or "Leaving the Scene of the Accident". In those cases, in addition to the usual records, Port Authority Arrest Card 2641 will be prepared and filed at the facility of record. In the preparation of the form, the following points must be taken into account:

- A. Each facility will begin its series- of arrest numbers with the first arrest made each year.
- B. The "Facility Arrest Number" shall be placed in the upper right hand corner.

V. CRIMINAL COMPLAINT REPORT - FORM 2113

- A. A Criminal Complaint Report (Form 2113) must be prepared whenever the Port Authority Police accept a complaint of the commission of misdemeanor high misdemeanor or felony at a Port Authority facility or receive an apparently legitimate report of such an act.

C.C.R.'s are not completed for those violations and misdemeanors that are classified as "Summonsable Offenses". In these cases the forms associated with The Universal Summons, are completed.

- B. C.C.R.'s must also be prepared under the following conditions:
1. Arrests or police action, on duty, both on and off Port Authority property by Port Authority Police.
 2. Arrests or police action off Port Authority property by off duty Port Authority Police Officers.
 3. Apprehension on Port Authority property for other authorities by reason of a police alarm or wanted notice.
 4. Where stolen property such as a motor vehicle is recovered.
 5. Where information is received that an arrest was made by another police agency for an offense committed at a Port Authority facility.
 6. All reports of property which is unaccountably missing, but where no larceny is known to have occurred, will be listed as Lost Property.

In general, all incidents of a criminal nature requiring police action must be reported on Form 2113 except when a New York Universal Appearance Ticket is issued in lieu of an arrest for a violation of the New York State Penal Law.

- C. Reports on criminal activity at Port Authority facilities will be made in person to insure the proper recording and filing of same. On those occasions when reports on criminal activity are received in writing or by telephone and a personal contact is impractical and where the report appears valid to the recording officer, a C.C.R. will be filed.

NOTE: Violation of motor vehicle laws will not be reported on the C.C.R. with the exception of "Leaving the Scene of an Accident", "Driving While Intoxicated", "Driving While Impaired" or for any crime i.e. misdemeanor, high misdemeanor, felony, that is noted in the traffic regulations as such, in the State of occurrence.

VI. RESPONSIBILITY

The superior officer in charge of the tour shall be responsible for reviewing the Criminal Complaint Report to verify accuracy, completeness of information and proper classification of crime.

VII. CRIMINAL COMPLAINT REPORT - IDENTIFICATION AND DEFINITIONS

- A. Criminal Complaint Reports are controlled and identified in the following manner:
1. Each C.C.R. (Form 2113) is assigned to a facility case number at the time of its preparation.
 2. Numbers run in numerical order beginning with the first case reported each year and are prefixed by the letters constituting the code designation for the reporting facility.

3. The suffix to the case number indicates the year in which the report was prepared; i.e. ST 209-73 would indicate this to be the 209th C.C.R. processed by the Bus Terminal in the year 1973.

B. Definitions

1. Open cases - An open case is one, which is under active investigation.
2. Open - Inactive - A case may be placed in this category thirty days after the original C.C.R. was filed when further investigation is judged to be impractical.
3. Closed Case - A case may be declared closed when it is solved by arrest; on withdrawal of a complaint; where investigation discloses MI complaint to be unfounded; or it is solved but cannot be prosecuted.

VIII. CRIMINAL COMPLAINT FOLLOW-UP REPORT - FORM 211311

The above form will be prepared as follows:

- A. Open Cases - After 30 days a Criminal Complaint Report will automatically be reclassified from "OPEN" to "INACTIVE" unless the Facility Commanding Officer submits a follow-up report within the 30-day period advising that the case is under active investigation and should remain open until further notice. A follow-up report would then be necessary every 30 days on each case so designated. When the case can no longer be actively pursued, the Facility Commanding Officer will submit a Follow-Up Report placing the case in the "INACTIVE" category.
- B. Inactive Cases - A follow-up is prepared whenever a significant development occurs in a case.
- C. Closed Cases In all cases closed by arrest; follow-up reports will be made indicating Court Actions and final disposition as soon as such information is obtained. All documents pertaining to the criminal case will be attached to Form PA 2113E and forwarded to the Central Records Section.
- D. Amending A Criminal Complaint Report - If • Facility Commanding Officer desires to amend a Criminal Complaint Report, he will prepare and forward a follow-up report (2113B) to the C.R.S.

IX. PROCESSING AND DISPOSITION OF CRIMINAL COMPLAINT REPORTS AND FOLLOW-UP REPORTS

A. Facility and Detective Units

1. A Criminal Complaint Report (Form 2113) will be completed and forwarded to the Police Division via Summons Courier. Commanding Officers will have one business day to review the C.C.R. For example, C.C.R.'s prepared between 0001 hours and 2359 hours on Monday must be picked up by the Summons Comitial on the 12-8 tour Wednesday for delivery to the Records Section. Central Police Desk by 0800 hours Wednesday. C.C.R.'s preparation on Friday, Saturday, and Sunday will be delivered to the Central Police Desk by 0800 hours Tuesday.

- a. The C.C.R. will be processed at the Police Division Criminal Records Section. Care shall be taken not to smudge, bend, or mutilate the card in any manner.
 - b. One copy of the will be made and filed by the facility of record.
 - c. A copy of all C.C.R.'s prepared, as the result of an arrest will be forwarded to the Law Department.
2. Pads of Form 2113B(Green) will be utilized for cases that require additional follow-up reports or for the compilation of preliminary information.

B. Police Division

Upon receipt in the Police Division, the Criminal Records Section shall process the C.C.R. or follow-up reports as follows:

1. Complete a Master Name Index Card on each person named on a C.C.R.
2. File C.C.R. in thirty-day file by facility, pending preparation of monthly report.
3. File by facility in yearly file after completion of monthly report.
4. Upon receipt of follow-up report (Green PA Form 21138) from facility, remove C.C.R. from file and transcribe the necessary information onto the C.C.R. If required, transcribe additional information on Master Name Index Card.

X. DAILY RESUME OF CRIMINAL COMPLAINT REPORTS

A. Facility Procedure

1. Preparation
 - a. The Daily Resume of C.C.R.'s (Form 2637) is a chronological log for listing a brief summary of all criminal complaints for a calendar day. It will be prepared in triplicate (typed or printed) and maintained by the desk officer who will make an entry as each offense is reported during each twenty-four hour period. The 12-8 Tour Commander, or designated police officer, will compare the C.C.R.'s to the Daily Resume for the previous twenty- four hours to verify the accuracy of all entries and sign all copies.
 - b. Under the caption "Brief Description of Offense" on the Daily Resume enter the type of offense and a brief description of the incident. 'Examples: Larceny - handbag stolen from parcel locker; Assault - male person in cocktail lounge, 4te. The resume should include arrests if any were made, number of persons arrested and in remarks column, the arresting department if other than Port Authority.

- c. There is a section captioned "Negative Reports" on the Daily Resume. The 12-8 tour desk officer at Kennedy Airport, LaGuardia Airport, and Newark Airport, Port Authority Bus Terminal, George Washington Bridge Bus Station and Port Authority Trans –Hudson are required to submit "Negative Reports" when there have been no C.C.R.'s prepared during the previous twenty-four hour period. Unlisted facilities need not submit negative reports.

2. Routing

The original and duplicate copies of the Daily Resume must be received at the Central Police Desk by 0800 hours of the next business day following the preparation of a C.C.R.'s, or when a negative report is required for the previous day.

B. Police Division Procedure

The Criminal Records Section, upon receipt of the Daily Resume shall:

1. From existing records complete the "Previous Similar Offense" columns and "Remarks" section.
2. File the original copy for the entire retention period of the C.C.R.
3. Route the duplicate copy to the followings:
 - a. Investigative Unit
 - b. Deputy Inspector of Operations

XI. MASTER NAME INDEX CARDS FILE

Master Name Index Cards (PA 2636) will be prepared by the Records Sections Officer from each C.C.R. received as follows:

- A. One card will be prepared for each person named on the report, the complainant, reported by, arrested, suspects, witnesses, etc.
- B. Police Contact Cards (Form PA 2184) must be prepared when a member of the force has any contact, which is regulatory in nature with the public. Completed contact cards are to be turned in to the facility police desk at the completion of the tour on which they were prepared. Copies of all contact cards will be forwarded to the Central Police Desk Records Section where they will be utilized as a source of information for the Master Name Index Card.

NOTE: It will not be necessary to prepare a contact card in those cases where a C.C.R. is forwarded.

- C. Master Name Index Cards involving a juvenile will be processed in the same manner except that the word "Juvenile" will be stamped on the front of the card. Records of juvenile offenses must be purged when the juvenile attains the age of seventeen (17) years.

D. Master Name Index Cards will be filed for an indefinite period.

NOTE: Facilities requesting a BCI check should first request a check of the Master Name File for previous Port Authority-Police contact. Frequently the IN is already on file and can be readily given on request.

XII. PERIODIC REPORTS, GRAMS, AND CHARTS

Periodic graphs, charts, and summary reports on criminal complaints and activities are prepared according to the following requirements and procedures:

- A. Summary Reports are prepared by the Records Section monthly, quarterly, annually. These reports list the total number of criminal complaints received during the period by type of crime, and the facility at which the crime occurred. A breakdown is made as to those cases, which are closed or open at each facility and those, which have been cleared by arrest.
- B. The Criminal Records Section will prepare special reports upon request or as circumstances warrant. The Criminal Records Section of the Police Division will supply to the Deputy Inspector of Operations, a monthly report of the criminal activity of all facilities. These reports will be reviewed to observe any unusual activity in offenses or trends that appear to be developing so that the facility and other interested departments can be alerted and precautions taken. Upon request and approval of the Superintendent of Police, the Criminal Records Section will supply surveys of any criminal offense that is of concern to a facility. The information that is obtainable in a survey of an offense will include the listing of the occurrence from the beginning of the year by: date, day of week, time and facility location; also the present status of each occurrence, whether open or closed. A comparison of the offense with the previous year for the same period or any period will also be supplied when requested. To obtain uniformity in the reporting of crimes from the facilities, all the information must be supplied in the spaces provided on the Criminal Complaint Report Form 2113.
- C. To aid in grouping offenses for statistical purposes there has been adopted a classification code, which is attached as Appendix A. The officer preparing the C.C.R. will, when filling in the complaint box refers to Appendix A and use that criminal term and code number which fits the complaint. In addition, he will place above this, that term and code number, which better describes the nature of the crime if it applies.

APPENDIX ACRIMINAL CLASSIFICATION CODES

<u>CODE</u>	<u>CRIME</u>	<u>NEW YORK STATUTE</u>	<u>NEW JERSEY STATUTE</u>
01A	MURDER AND NOR-MIGLIGEMT MANSLAUGHTER	125.00	2A:113-1 to 2A:113-9
01B	MANSLAUMMTER BY NEGLIGENCE	125.00	2A:113-1 to 2A:113-9
02A	RAPE	130.00	2A:138
02B	ATTEMPTS TO COMMIT RAPE	130.00	2A:138
03A	ROBBERY (FIREARM)	160.00	2A:141-1 and 151-5
03B	ROBBERY (KNIFE OR CUTTING INSTRUMENT)	160.00	2A:141-1 and 151-5
03C	ROBBERY (OTHER DANGEROUS INSTRUMENT)	160.00	2A:141-1 and 151-5
03D	ROBBERY (STRONG ARM - HANDS, FEET, ETC.)	160.00	2A:141-1
04A	ASSAULT (FIREARM)	120.00	2A:90-1 thru 4
04B	ASSAULT (OTHER CUTTING INSTRUMENT)	120.00	2A:90-1 thru 4
04c	ASSAULT (OTHER MANGUM WEAPON)	120.00	2A:90-1 dim 4
04D	ASSAULT (HANDS, FEET, ETC. WITH INJURY)	120.00	2A:B5-1 and 5
04E	MENACING	120.15	2A:90-1 thru 4
05A	BURGLARY (FORCED ENTRY)	140.00	2/094-1,2,3
05B	UNLAWFUL ENTRY (NO FORCE)	140.00	2A:94-1,2,3
050	ATTEMPTED FORCIBLE ENTRY	140.00	2A:94-1,2,3
06A	GRAND LARCENY (AUTO ACCESSORIES) (\$250 in NY - \$500 in NJ)	155.30, 155.35	2A:119-2
06B	GRAND LARCENY (AUTO CONTENTS) (\$250 in NY - \$500 in NJ)	155.30, 155.35	2A:119-2
06C	GRAND LARCENY PROMPERSON (PICKPOCKET, PURSE - ANY AMOUNT)	155.30, 155.35	2A:119-1

<u>CODE</u>	<u>CRIME</u>	<u>NEW YORK STATUTE</u>	<u>NEW JERSEY STATUTE</u>
06D	GRAND LARCENY (PUBLIC COIN LOCKER) (\$250 in NY -\$500 in NJ)	155.30, 155.35	2A:119-2
06E	GRAND LARCENY (LUGAGE THEFT) (\$250 in NY - \$500 in NJ)	155.30, 155.35	2A:119-2
06F	GRAND LARCENY PROMPERSON (CARGO THEFT) (\$250 in NY -\$500 in NJ)	155.30, 155.35	2A:119-2
06G	GRAND LARCENY (ALL OTHERS)	155.30, 155.35	24:119-2 thru 9
06H	PETIT LARCENY (AUTO ACCISSORIRS) (\$1-249 in NY-\$201-499 IN NJ)	155.25,	2A:119-2
06I	PETIT LARCENY (AUTO CONTENTS) (\$1-249 in NY-\$201-499 IN NJ)	155.25,	2A:119-2
06J	PETIT LARCENY (COIN LOCKER)	155.25,	2A:119-2
06K	PETIT LARCENY (LUGAGE THEFT)	155.25,	2A:119-2
06L	PETIT LARCENY (CARGO THEFT)	155.25,	
06M	PETIT LARCENY (ALL OTHERS)	155.25,	24:119-2 thru 9
NOTE: IN NEW JERSEY, IF THE PRICE/VALUE INVOLVED IN A LARCENY IS LESS THAN \$200, THE CHARGE IS DISORDERLY PERSON.			
06N	JOSTLING	165.25, 155.35	2A:170-2
07A	AUTO THEFT (CAR)	155.25, 155.35	2A:119-2
07B	AUTO THEFT (BUS OR TRUCK)	155.25, 155.35	2A:119-2
07C	AUTO THEFT (OTHER VEHICLES)	155.25, 155.35	2A:119-2
07D	UNAUTHORIZED USE OF A MOTOR VEHICLE	165.25,	
07E	CRIMINAL MISCHIEF (MOTOR VEHICLE) N.Y.	145.00	
07F	MALICIOUS MISCHIEF (1MDR VEHICLE) N.J.		2A:122-1, 2A:170-36
08	ASSAULT (SIMPLE)	120.00	2A:85-1

<u>CODE</u>	<u>CRIME</u>	<u>NEW YORK STATUTE</u>	<u>NEW JERSEY STATUTE</u>
09	ARSON	150.00 thru.15	2A:89-1 thru 6
10	FORGERY AND COUNTERFEITING	170.00	2A:111-1
10A	FORGERY OF VEHICLE IDENTIFICATION NO.	VTL 422	39:10-7
11A	FRAUD (CON GAME, FRAUD. ACCOSTING)	165.30	2A:111-1
11B	LOCKER KEY SWITCH (COIN LOCKER)	165.30	2A:111-1
11C	UNLAWFULLY USING SLUGS	170.00	2A:170.49
11D	CRIMINAL IMPERSONATION	190.00	2A:111-18
12	EMBEZZLEMENT (ISSUING BAD CHECKS)	155.00	2A:111-15 to 17
13A	POSSESSION OF STOLEN PROPERTY	165.40 165.65	2A:139-I to 4
13B	RECEIVING STOLEN PROPERTY	165.40 165.65	2A:139-I to 4
NOTE:	IF TIME VALUE OF THE PROPERTY IS OVER \$500 THE CRIME IS A HIGH MISDEMEANOR. IF THE VALUE IS BETWEEN \$201 - \$499 THE CRIME IS A MISDEMEANOR. IF THE VALUE IS \$200 OR LESS, THE CHAROR IS DISORDERLY PERSON.		
13C	RECOVERY OF STOLEN AUTO		
13D	RECOVERY OF STOLEN PROPERTY (OTHER TWIN AUTO)		
14A	VANDALISM (CRIMINAL MISCHIEF-NY MALICIOUS MISCHIEF - NJ)	145.40	2A:122-1, 2A:170-36
14B	CRIMINAL TAMPERING (TELEPHONE, ETC.)	145.40	2A:170-64.1
15A	WEAPONS (CARRING, POSSESSION, ETC.)	265.05	2A:151-46, 2A:151-36
15B	POSSESSION OF BURGLAR TOOLS	140.35	2A:94-3, 2A:170-3
16	PROSTITUTION	230.30	2A:133-1 thru 12
17	MIX OFFENSES (EXCEPT RAPE AND PROSTITUTION)	130.00	2A2115 -1 thru

<u>CODE</u>	<u>CRIME</u>	<u>NEW YORK STATUTE</u>	<u>NEW JERSEY STATUTE</u>
18A	POSSESSION NARCOTICS (HEROIN, OPIUM, COCAINE, MORPHINE, CODINE, ETC.)	220.00, 220.60	2A:170-25.9 to 25.13, 170-77.8
18B	POSSESSION NARCOTICS (MARIJUANA)	220.00, 220.60	2A:170-25.9 to 25.13, 170-77.8
18C	POSSESSION NARCOTICS (SYNTHETIC NARCOTICS – DEFEROL, METHADONE, ETC)	220.00, 220.60	26:170-25.9 to 25.13, 170-77.8
18D	POSSESSION NON-NARCOTIC DRUGS (BARBITUATES)	220.00, 220.60	26:170-25.9 to 25.13, 170-77.8
18E	POSSESSION NARCOTIC INSTRUMENT	220.45	2A:170-77.3 to 77.5
19A	GAMBLING (BOOKMAKING)	225.00,05,10,15,20,25	2A:112-1 to 3 & 5 to 8
19B	GAMBLING (LOTTERY, POLICY)	225.00,05,10,15,20,25	2A:112-1 to 3 & 5 to 8
19C	GAMBLING (ALL OTHER)	225.00 thru 40	2A:112-1 to 3 6 5 to 8
20	OFFENSES AGAINST FAMILY AND CHILDREN	260.05,10,15,20,25	26:96-1 thru 4, 170-51,52,53
21A	DRIVING UNDER THE INFLUENCE	PIS 1192	39:4-50
211B	IMPAIRED DRIVING	VT1, 1192	39:440
21C	LEAVING THE SCENE OF AN ACCIDENT	VTL 600	39:4-129
22	LIQUOR LAW VIOLATIONS	CHECK STATE ABC LANS	CHECK STATE ABC LANS
23	DRANKENESS	240.20	2A:170-30
24A	DISORDERLY CONDUCT (N. Y.)		
241B	DISORDERLY PERSON (N.J.)		2A:170-1 thru 96
25	VAGRANCY	240.35	2A:170-1
26A	KIDNAPPING	135.00, 135.20 to 30	2A:118-1
26B	BRIBERY	200.00 to 05	VARIOUS
26C	ESCAPE OF PRISONER	205.00 to .15	2A:104-1 to 10

<u>CODE</u>	<u>CRIME</u>	<u>NEW YORK STATUTE</u>	<u>NEW JERSEY STATUTE</u>
26A	KIDNAPPING	135.00, 135.20 to 30	2A:118-1
26B	BRIBERY	200.00 to 05	VARIOUS
26C	ESCAPE OF PRISONER	205.00 to .15	2A:104-1 to 10
26D	THEFT OF SERVICES (TOLLS EVASION)	165.15	VARIOUS
26E	THEFT OF SERVICES (RISTURANT CHECKS)	165.15	2A:111.-1
26F	THEFT OF SERVICES (TELEPHONE)	165.15	2A:111-1
26G	THEFT OF SERVICES (CREDIT CARDS, BUS TICKETS, ETC.)	165.15	2A:111-1
26H	HARRASSMENT	240.25	2A:170-1 to 96
26I	ROCK THROWING (OBJECT ON TRACKS)	145.00	NONE
26J	PROMOTING SUICIDE	120.35	NONE
26K	RIOT OR CIVIL DISTURBANCE		
	(INCITING)	240.05 to 240.08	NONE
26L	BOMB SCARE (FALSE REPORT)	240.50	2A:122-11
26M	SKYJACK	240.50	2A:122-11
26N	DANGEROUS CARGO (FLAMMABLES)	VTL 378, 379.380	39t5B-1 to 17
26P	RESISTING ARREST	205.30	NONE
26Q	OBSTRUCTING GOVERNMENTAL ADMIN.		
	(REFUSAL TO ASSIST)	195.05	NONE
27	SUSPICION	NONE	NONE
28A	CURFEW AND LOITERING VIOLATIONS	240.35, 240.36	2A:170-1 to 4
2UB	SOLICITING AHD PEDDLING	240.35	HONE
29	RUNAWAYS	NONE	NONE
30	OPERATING VEHICLE, LICENSE SUSPENDED	VTL 511	39:3-40
31	ASSIST OTHER AUTHORITY	NONE	NONE

I. INTRODUCTION

This instruction outlines the procedure to be used for the arraignment of a prisoner who is hospitalized due to illness or injury and is precluded from being processed in the normal manner.

II. PROCEDURE

The Tour Commies at the facility of arrest shall direct the arresting/assigned officer to:

1. If the arrest is for an offense that requires fingerprinting, complete the captions on the required fingerprint forms. The officer will also complete the prisoner's MOWS OPERANDI and pedigree forms (PD 2.44-141).
 - a. Port Authority Detectives will fingerprint the prisoner in the hospital and transport the completed fingerprint cards to the FAX Terminal. The arresting officer will keep the original copy of the arrest record. A copy of the arrest record will be made and retained by the guarding officer(s).
- NOTE: The fingerprinting detective will read the Miranda warnings to the prisoner before photos or fingerprints are taken. He will also determine if the prisoner wants legal assistance (legal aid) and/or an interpreter.
- b. A copy of the fingerprints must stay at the hospital bedside.
- c. Port Authority Detectives will photograph the prisoner at the hospital.
2. Have the arresting officer report to the Criminal Court Complaint Room and have the complaint prepared. He will then report to the Clerk of the Court Room 128 - Manhattan Criminal Court) where the date, time, judge, legal aide and assistant district attorney will be assigned to the bedside arraignment.

III. PREPARATION OF TEE COMPLAINT

If civilian complainants are involved, instruct them to report to the Criminal Court Complaint Room on the scheduled date.

1. When a Desk Appearance Ticket is issued, inform the complainant to appear without the arresting officer at the complaint room for the preparation of the court complaint.
2. The arresting/assigned officer will:
 - a. Prepare all forms necessary for the processing of the arrest.
 - b. If the arrest is processed during normal court business hours, the officer will proceed immediately to the Complaint Room. If the

processing is completed after normal court business hours, the officer will respond to the complaint room on the next business day.

3. Upon the completion of the preparation of the complaint, the arresting/assigned officer will deliver the undocked complaint to:
 - a. In Manhattan - Clerk of the Court, Room 128, Criminal Court Building;
 - b. In Brooklyn - Clerk of the Court, Criminal Court Building;
 - c. In Bronx - Clerk of the Court, Main Floor, Criminal Court Building;
 - d. In Queens - Clerk of the Court, Main Floor, Criminal Court Building;
 - e. In Staten Island - Clerk of the Court, Room 104, Criminal Court Building.
4. Immediately notify the facility Tour Commander and the Desk Officer of the precinct of detention, that the complaint has been prepared.

The facility Commanding Officer shall:

1. Notify the appropriate Court-Clerk, during business hours, after pre-arraignment steps are complete. The Court Clerk's Office will then have the papers -docketed and an arraignment scheduled.

Manhattan Court Clerk	374-6242
Brooklyn Court Clerk	643-5703
Bronx Court Clerk	665-6531
Queens Court Clerk	520-3855
Staten Island Court Clerk	727-11512

2. Inform the Court Clerk when he notifies the facility of the arraignment date whether the prisoner needs either legal aid or an interpreter.
3. Notify the arresting/assigned officer of the arraignment date.
4. Notify the New York City Police Department Court Division (374-5350) after arraignment.
5. Remove the guard if the prisoner is released on recognizance or posts bail.
6. Obtain a copy of the Court Commitment from the court officer if the prisoner is held because of lack of bail.
7. Arrange for the transfer of male prisoners by calling the administrator of:
 - a. Bellevue Hospital (561-5151) for prisoners confined in Manhattan, Bronx and Staten Island.
 - b. Kings County Hospital (630-3131) for prisoners confined in Brooklyn and Queens.

8. Female prisoners will be transferred to Elmhurst Hospital in Queens (830-1336).
9. Repeat notification daily until the prisoner is transferred.
10. Notify the New York City Police Department Court Division when the prisoner has been transferred.
11. Coordinate the procedural steps involved in bedside arraignments
 - a. Establish contact with agencies and hospitals involved.
 - b. Maintain a file containing phone numbers of those to be contacted to arrange for bedside arraignment.
12. The Court Division will be notified any time bedside arraignment is delayed six (6) or more days or when any problem arises that cannot be resolved by detention precinct personnel.

NOTE: If the prisoner is released from the hospital prior to the scheduled bedside arraignment, the arresting/assigned officer will escort the prisoner to court for the arraign- spat. If the complaint was previously prepared, the arresting/assigned officer will retrieve the complaint, have it docketed and give it to the clerk of the appropriate court. The officer will also have the prisoner photographed by the New York City Police Department FAX Unit.



I. POLICY

Purpose of this instruction is to provide a uniform standard to be applied to the search of arrested persons by members of the Port Authority Police and to set forth those rare occasions when a strip search is authorized. When a situation occurs that does not fall into a numerated category this instruction is to provide guidelines to be applied by the tour commander, as well as those engaged in the search of arrested persons.

II. PROCEDURE

This instruction will set forth a uniform set of procedures, which will be followed by all members of the force.

III. SEARCH OF ARRESTED PERSONS

All individuals arrested by members of the Port Authority Police will be subjected to a thorough search by at least one member of the force in order to insure the personal safety of the officer at the time of the arrest. However, as a general rule, a person arrested will not be subjected to a full strip search except for the reasons and under the procedure contained in this instruction.

A. FRISK/FIELD

A frisk should be conducted before or immediately after the arrested individual is rear handcuffed, primarily in order to insure the personal safety of the arresting/assigned officer.

1. The arresting/assigned officer, in determining at what point in time it is appropriate to conduct this frisk must take into account:
 - a. The crime allegedly committed;
 - b. The particular facts and circumstances surrounding the arrest;
 - c. The temperament of the subject;
 - d. The potential for escape.
2. This search should be a methodical, external examination of the arrested individual which will be made by the arresting/assigned officer by sliding his hand over the subject's body, feeling for weapons or other objects that might pose a potential danger, with special attention, but-not limited, to the waistband, armpit, collar, groin area and hair.
3. If an object is detected which, in the officer's opinion, might constitute a weapon, the officer will reach into, under or over the clothing to remove this object.

4. Care and caution will be exercised by the officer while conducting the frisk and/or removing objects at this time, with special attention to needles, razors and other items in the clothing or on the body of the arrestee which could cause injury to the officer.
5. Members of the force are to keep in mind that the purpose of this field/frisk search is primarily to insure the safety of the arresting/assigned officer. A strip search is not permitted at this time. If a strip search is appropriate it will be done upon arrival at a police facility and after reporting to the Tour Commander as enumerated in these instructions.

B. SEARCH AT POLICE FACILITY

1. Immediately upon arrival at the Police Facility, the arresting/ assigned officer must report to the Tour Commander to inform him of the arrest and the circumstances, which gave rise to the arrest.
 - a. The Tour Commander is now responsible for determining which, if any, of the following instructions will be followed.
 - b. An arrested individual's safety, while in the custody of the Port Authority Police, is the responsibility of the arresting/ assigned Officer and Tour Commander on duty. Regardless of the actions (violent or otherwise) of the arrested individual, sufficient and appropriate personnel will be assigned to insure the safety of members of the force and to protect the arrested individual.
2. After arrival at the police facility and reporting to the Tour Commander, the arresting/assigned officer or a designated member of the same sex as the arrested individual will conduct a thorough search of the arrested individual's person and clothing. The arrested individual will be requested to voluntarily empty his pocket (s) and surrender all items, contraband or otherwise on his person. The purpose of this search is to insure the safety of all persons at the facility. Therefore, all weapons, contraband and evidence not discovered during the field/frisk search should be removed from the arrested individual's person.
3. This police facility search will consist of the following:
 - a. The arrested individual will be scanned as soon as practicable with a hand held electronic metal detector as per procedure set forth in Appendix A of this instruction.
 - b. All outer garments such as overcoats, jackets, sweaters, vests, hats, wigs, ties, belts, shoes, socks, handbags, and wallets will be removed and examined.
 - c. All pockets are to be emptied.
 - d. All clothing not removed will be examined by grabbing, crushing and squeezing the garments.

- e. A police officer shall slide his hand across the body of the individual in an effort to detect articles that may be underneath, sewn to the clothing or taped to the individual's body.
4. Should the hand held scanner detect an object, the following procedures will be used:
 - a. If the object detected is in the clothing or around the body of the arrested person, the officer will physically remove the object.
 - b. If the officer cannot locate the object, which is causing a reading on the detector, this may form the basis for a full strip search of the individual.
 - i. If a full strip search is determined to be necessary by the Tour Commander the full strip search will conform with all the procedures contained in this instruction.
 - ii. If it is determined after a strip search is completed that the metallic object is secreted in a body cavity, the arresting/assigned officer will follow instructions set forth for body cavity searches, enumerated later in this instruction.
 5. A thorough search at the police facility, as enumerated above, coupled with the electronic metal detector examination should eliminate the necessity of a full strip search for weapons, evidence or contraband and also insure the safety and security necessary in balance with the constitutional rights of the individual in custody.
 6. Items lawfully carried on the arrested person and confiscated during the search at the police facility on the basis that the items might be used as a weapon or cause injury to the arrested person, police or other arrested persons, or, could possibly deface or damage property, or which could facilitate escape, will be removed from the arrested person and recorded on Form FA2749-Personal Property Inventory. The arrested individual must be given a duplicate original of this form.
 7. Items lawfully possessed by arrested individual and removed by arresting/assigned officer are not contraband.

C. STRIP SEARCH

As a general rule, strip searches will not be conducted. One exception to this rule will be when there is clearly convincing reason to believe that weapons or contraband are concealed upon the person or in the clothing of a person arrested and charged with a felony in New York or serious crime in New Jersey in such manner that it was not or could not be discovered by the previously described frisk/field and search at police facility. The Tour Commander of a facility is solely responsible for deciding if a strip search of such an arrested individual should be conducted. It is the Tour Commander's responsibility that the strip search be conducted properly and in accordance with the guidelines established in this instruction.

1. A strip search will not be conducted if a decision is made by the Tour Commander to release the detained individual from custody, or:
 - a. If a universal/uniform summons is to be issued;
 - b. If a desk appearance ticket is to be issued;
 - c. If an arrested individual is to be released on bail at the facility;
 - d. If an individual is arrested for a motor vehicle violation, criminal violation or misdemeanor in New York; or, a disorderly person* offense or motor vehicle violation in New Jersey.
2. The only exception to 1 a thru d will be if there is a clearly convincing and compelling reason to believe that some weapon or contraband is concealed upon the subject.
3. The Tour Commander who orders a strip search of an individual will record the strip search in a log maintained at that facility. The following information must be recorded:
 - a. Criminal Complaint Record number;
 - b. Sex of prisoner;
 - c. Name and sex of the officer conducting the strip search and the name of all present with the arrestee during the strip search;
 - d. All charges against the arrested individual;
 - e. A statement giving the reasons why the tour commander ordered a strip search.
 - f. Detailed physical condition of the subject before and after the strip search;
 - g. A statement that the strip search was conducted by a member of the force of the same sex as the arrested person; that the search was conducted in a secure area, in utmost privacy and with no other individual present, other than other members of the force, also of the same sex as the arrestee.
4. In conducting a strip search, the officer will not touch the subject's body except to examine the hair on the head of the subject.
5. Under no condition shall any member of the force conduct a body cavity search. If a body cavity search is considered necessary, it shall be done in accordance with guidelines in this instruction.
6. If a strip search is done at a Port Authority Police Facility, it shall not be repeated by Port Authority Police upon arrival at another location (e.g. New York City Precinct or Central Booking Facility, municipal Police Headquarters in N.J.) The arresting officer will advise the appropriate supervisor at subsequent facilities that a full strip search was conducted. If this supervisor orders another strip search by Port

Authority Police, his name rank and command will be noted by the arresting officer and entered in the strip search log book maintained at the Port Authority Police Facility.

D. BODY CAVITY SEARCHES I.

1. Under no circumstances is a body cavity search of an arrested individual to be conducted by any member of the force. If a body cavity search is considered to be necessary due to circumstances which cause the arresting officer or tour commander to reasonably suspect that the subject is secreting a weapon, contraband or other evidence in a body cavity the following guidelines shall be complied with:
 - a. The tour commander who initially authorized the strip search of the arrested individual, shall request the prisoner to voluntarily surrender the item by agreeing to be transported to an appropriate hospital or medical facility for its removal.
 - b. If the prisoner does agree to the removal of the item from the body cavity at an appropriate hospital or medical facility, the arresting/assigned officer shall prepare and record all necessary information on an Aided Report, PA form #2696.c.
 - c. This request will be made in the presence of adequate and appropriate (same sex) members of the force in order to provide a maximum level of safety and security for all individuals involved, in case the arrestee should produce a weapon due to this request.
 - d. The tour commander shall record in the strip search log book, underneath the information previously required to be entered, pursuant to this instruction for strip searches:
 - i The names of the officers present during request;
 - ii Whether or not that request was complied with.
 - e. If the prisoner fails to surrender the weapon or contraband pursuant to this request, the following instruction shall be complied with:
 - i The clothed prisoner is to remain rear handcuffed and under constant surveillance by a member of the division.
 - ii The prisoner is to be expeditiously brought before the arraignment Judge.

- iii At all times the arresting/assigned officer shall confer with the appropriate supervisor at the Precinct, Central Booking Facility, Court Division at the Arraignment Part of Criminal Court or Municipal Court and at the District Attorney's or Prosecutor's office to request their assistance in expediting the arrestee through the system due to the circumstances involved.
 - f. The prisoner shall not be pre-arraigned.
 - g. Under no circumstances shall a prisoner be placed in a Department of Correction or Municipal temporary holding facility or any "bull pen" with other prisoners prior to arraignment.
 - h. At arraignment, the arresting officer will inform the Assistant District Attorney or prosecutor in that part or court that he has reasonable belief that a weapon or contraband is secreted in a body cavity of the arrested individual and the basis for this belief.
- 2. Only a Judge has the authority to make a determination as to whether or not a body cavity search shall be conducted.
 - a. If a Judge authorizes a body cavity search, his instruction shall be complied with fully and completely concerning the manner of the search and by whom this search is to be conducted (e.g. Department of Correctional Medical Personnel or by Medical personnel in a local hospital).
 - b. If the Judge at this time decides that a body cavity search is necessary, the arrested individual will continue to be kept under constant surveillance by appropriate and sufficient personnel until such time as the prisoner is delivered to the appropriate authorities to conduct the Court ordered search.
 - c. If such a search is conducted, it is the arresting officers' responsibility to note the Judge who ordered the search, the arraignment part, where and by whom this search was conducted and what, if anything, was removed pursuant to this search. This information shall be entered in the log maintained at the facility for recording strip search information.
 - d. If the Judge does not authorize a body cavity search and at arraignment orders the release of the prisoner, the officer will not conduct any further search.
 - e. If the Judge has ordered no body cavity search, but the prisoner is remanded, the arresting officer shall notify the appropriate Department of Correction Personnel of all facts, which formed his basis of belief that the arrested individual might have a weapon or contraband secreted in a body cavity. The arresting officer is responsible for obtaining the name, rank and command of the individual to whom he imparts this information and noting this information in the facility log maintained for strip searches.

- f. If the Tour Commander on duty at the Port Authority facility has made the determination that a body cavity search is necessary it is his responsibility to insure that the prisoner is kept under constant surveillance by appropriate personnel until such time as the prisoner is brought before a Judge in the Arraignment Court and that Judge has made a decision concerning the body cavity search.

APPENDIX A

APCO ELECTRONIC METAL DETECTORA. Operating Instruction

1. Press the push button activating the unit.
2. Move the unit along the subject keeping the search loop parallel and close to the area being searched.
3. When the search loop senses a metallic object, it senses the object electromagnetically and converts this information to an electrical current and then transmits this current to the audible speaker and the visual red Light Emitting Diode (LED) on the rear upper part of the unit.
4. Should a metal object be detected, the police officer shall follow the procedure set forth in Section III, Paragraph B-4.

B. Battery Replacement

1. Metal detectors are susceptible to "drift and detuning".
 - a. Drift is a term referring to a general change in operating tone frequency over a period of time and will occur when there is an abrupt temperature change or a weak battery.
 - b. Detuning refers to a sudden change in tone frequency caused by an outside influence such as the unit being dropped or subjected to other physical impact or force.
2. For access to the battery, slide the cover located in the center of the unit, (the Apco label is affixed to the cover)" upward and lift off.
3. With the battery cover removed, pull up on the extraction ribbon to lift out the battery. Replace with a 9-volt battery and press battery into the battery holder. Replace cover.
4. If a unit is detuned or becomes defective, it will be returned to the Equipment Section at Police Division, where two spare units are maintained and can be requested by a facility as a replacement for a defective unit. The Equipment Sergeant will be responsible for maintenance and repair of the hand-held electronic metal detectors.

I. INTRODUCTION

This instruction outlines the procedure for the dissemination of arrest and conviction records information as well as the information recorded on Criminal Complaint Reports. This instruction also identifies the purposes for which the records and record information may be used and who may release the information.

The New York State Division of Criminal Justice Services, the agency responsible for the compiling of criminal statistics from all criminal justice agencies in the state, requires that the Port Authority Police complete and forward a standard-set of reports on criminal statistics to their agency each month.

II. PURPOSE

The statistics, which are forwarded to the New York State Division of Criminal Justice Services, form the basis for the information, which the state forwards to the F.B.I. for inclusion in the annual Uniform Crime Report.

It is also the purpose of this instruction; to establish guidelines for the release of criminal information contained in Port Authority Police files.

III. PROCEDURE

A. Criminal Complaint Report Distribution

The facility police unit will forward on a daily basis the original copy of each Criminal Complaint Report, to the Police Division Crime Analysis Section. Further distribution of the C.C.R. will be restricted to:

1. One copy to the facility police file
2. One copy to the local New York City Police precinct (New York facilities only).

The New York City Police will transcribe the information from the C.C.R. to the NYCPD form 61 (Complaint Report) for inclusion in the citywide statistics, which are forwarded to the Division of Criminal Justice Services

B. Summons Record Distribution

One copy of the Summons Record (PA form 74A) will be sent to the Police Division Crime Analysis Section each day, for each Criminal summons ("C" summons) issued in New York. This information will also be used for statistical reporting to New York State. Distribution of the Summons Record will be as follows:

1. Original copy to the facility police unit file
2. Duplicate copy to the Police Division Crime Analysis Section.

C. Crime Analysis Section

The Crime Analysis Section is responsible for the compiling of crime statistics and the preparation of the necessary reports to be sent to the New York State Division of Criminal Justice Services. The following Uniform Crime Report forms are completed each month:

1. Form 12-95 "Return A" Monthly Return of Offenses Known to Police

This report includes all reported offenses including unfounded complaints, the total number of offenses cleared by arrest or other means, and the total number of clearances involving persons less than 18 years of age.

2. Form 12-85 Supplement to Return A

This report includes a list of all stolen property by type and value. The property is also listed by crime code classification.

3. Form 12-84 Supplementary Homicide Report

Includes such information as:

- a. Victim - offender relationship
- b. Weapons used
- c. Age, sex, race of victim and offender
- d. Circumstances of each homicide

4. Form 12-108 Law Enforcement Officers Killed or Assaulted

Listed on this form is the time, assignment, type of weapon used, and assaults cleared by arrest.

5. Form 12-90 Persons Arrested 18 years and Older

This form is used to record the age, sex and race of all arrested persons. The crime code for each crime charged is also listed.

6. Form 12-90a Persons Arrested Under 18 years of Age

This form is used to record the age, sex and race of all arrested persons under the age of 18. The crime code for all crimes charged is also listed.

7. Form DCJS 1960 Report of Part II Offenses Known to Police

Included is the same information listed in "Return A" above, for all Part II offenses.

In addition to the forms listed above, New York State requires that the following forms be completed on an annual basis:

1. Annual Report of Persons Charged

Lists by crime code, the number of persons charged annually and the disposition of these cases.

2. Number of Full Time Law Enforcement Employees

Lists the number of sworn and civilian personnel in the department, and related information.

IV. AUTHORIZATION TO RELEASE INFORMATION

With the exception of the release of arrest information as specified in P.D.I. 5-4 (Police Related Press and Public Information) Section II, D,1; and Section III of this instruction, the release of all criminal records and information contained in Port Authority Police files must be reviewed by the Law Department and authorized by the Superintendent of Police.

Persons requesting the release of criminal information contained in police files should be instructed to address their request in writing, to the Superintendent of Police. The request should specify:

- a. A detailed specification of the information requested;
- b. The intended use of the information;
- c. Complete identification of the person making the request.

V. RELEASE OF BLOTTER INFORMATION

In the event a letter is received from an Insurance Company requesting the details of a theft, which was reported, by one of their clients, Commanding Officers are authorized to reply in writing to the Insurance Company, supplying the following information:

1. Verify that a report is on file and list the Criminal Complaint number
2. The total value of the articles reported stolen, as stated by the complainant.
3. The date, time and location of the reported theft.

NOTE: A COPY OF THE CRIMINAL COMPLAINT REPORT WILL NOT BE FORWARDED TO THE INSURANCE COMPANY.

VI. SUMMARY INFORMATION

After the monthly statistics for each facility are compiled and forwarded to the New York State Division of Criminal Justice Services by the Crime Analysis Section, a summary report of the criminal activity of each facility will be compiled and forwarded to the appropriate Commanding Officer for his information and use.

I. INTRODUCTION

Effective September 1, 1976, section 160.50 of the Criminal Procedure Law of the State of New York was modified to include an order for the sealing of criminal records in all cases (except those involving marijuana) that are adjudicated either by a DISMISSAL, ACQUITTAL, or ADJOURNMENT IN CONTEMPLATION OF DISMISSAL (ACD).

II. DEFINITION

The sealing of records as specified in the Criminal Procedure Law is defined as the isolating of all records pertaining to the criminal case and person specified in the sealing order, and maintaining those records in a separate central locked file. Sealed records may not be viewed or used by anyone, except upon an order of the court.

III. PROCEDURE

In order to comply with the provisions of section 160.50 of the Criminal Procedure Law of the State of New York, the following procedure will be adhered to:

A. Facility

Upon receipt of a copy of the court order (see Appendix A) specifying the sealing of a particular record, the facility Commanding Officer will direct that the following steps be taken:

1. All facility records pertaining to the arrest (CCR's, arrest cards, contact cards, photographs, fingerprints and any other pertinent documents) will be forwarded to the Police Division Crime Analysis Section.
2. If the name of a person specified in the sealing order appears in the Police Blotter, it will be obliterated. Each blotter entry involved with such a court order will be annotated as follows: "Sealed Pursuant to Section 160.50 C.P.L."

NOTE: CCR's listing more than one person will also be forwarded to the Crime Analysis Section, even if only one of the names on the CCR has been ordered sealed.

B. Police Division Crime Analysis Section

Upon receipt of an order from the courts directing the sealing of a particular record, the following procedure will be followed:

1. The court order will be xeroxed and a copy will be sent to the appropriate Police Commanding Officer.

2. Upon receipt of the records from the facility, the Police Division Crime Analysis Section will prepare an envelope for the sealing of the records. The face of the envelope will list:
 - a. The facility
 - b. The CCR number
 - c. The date sealed
3. The envelope will also be stamped "SEATED PURSUANT TO SECTION 160.50 OF TIE
4. All records including facility records, the original CCR, and all other pertinent documents, will be enclosed in the envelope along with the original court order (Appendix A).
5. The file will be kept locked, with access to the records ONLY by court order.
6. An entry will be made in 'the Police Division CCR file noting that a particular CCR has been removed from "the file and sealed.

C. Criminal Complaint Reports Listing More Than One Arrest

In cases of multiple defendants where one or more (but not all) are sealed, and the record of a person not sealed is requested, the Police Division Crime Analysis Section will:

1. Remove the appropriate original CCR from the sealed file and make one copy. The original CCR will immediately be returned to the sealed file.
2. The name of the person or persons ordered sealed will be removed from the copy of the CCR prior to its being forwarded to the requesting party.

D. Blotter Entries

To eliminate the-necessity of obliterating names from the Facility Police Blotter, the names of persons will be excluded from all blotter entries involving arrests. EXAMPLE: CCR # 17-76 10:45 AM P.O. Smith reports arrest for loitering - Main Concourse.

E. General

If a case listed as Adjourned in Contemplation of Dismissal (ACD) is subsequently restored by the court, the records will be removed from the "Sealed File". All facility records will be returned to the appropriate Facility Commanding Officer. The original COL, with both the order to seal and the order restoring the case attached, will be returned to the Police Division general.

APPENDIX A

Order to Seal
160.50 CPI

CRIMINAL COURT OF THE CITY OF NEW YORK
Part _____ County _____

Criminal Court Number/Year

Supreme Court Number/Year

Date _____

Present _____
Memorable _____

Judge

The People of the State of New York Vs.		
Defendant		
Address		
NYSID Number	Date of Birth	Sex

Arrest Date / Precinct / Arrest Number

In the Name of the People of the State of New York,

- To the Commissioner of the Division of Criminal Justice Services of the State of New York
- To the Commissioner of the Department of Correction of the City of New York.
- To the District Attorney of this County.
- To the Police Commissioner of the City of New York.
- To the Clerk of the Criminal Court of the City of New York of this County
- To the Clerk of the Supreme Court of the State of New York, Criminal Branch of this County.

- _____
- _____
- _____
- _____

The above-captioned Criminal proceeding having on _____ 20 _____

been terminated in favor of the person named therein in accordance with subdivision 2 of

Section 160.50 of the Criminal Procedure Law, it is,

ORDERED

That the provisions of Section 160.50 of the Criminal Procedure Law be complied with,

A true extract from the minutes

ATTORNEY OF RECORD

Name

Address

COURT CLERK (Signature)



I. INTRODUCTION

This instruction outlines the authority and procedures for issuance of:

1. Universal Summonses
2. NYC Desk Appearance Tickets

at Port Authority facilities in New York City in lieu of arrest. Summonses will be utilized in lieu of physical arrest to properly identified persons whenever possible, in strict compliance with the intent of the Criminal Justice System and the legal requirements for reasonably assuring the defendants appearance in court to answer the charges against him.

II. UNIVERSAL SUMMONSES IN LIEU OF ARREST

A. Background

By order of the Appellate Division of the Supreme Court, first and second departments concurred in by the New York City Police Commissioner, pursuant to Subdivision 8 of Section 57 of the New York City Criminal Court Act, a new rule 10 of the Criminal Court, relating to the issuance of summonses and methods of payment of fines with schedules moms adopted effective December 16, 1968.

This amendment also defines the authority of the New York City Police Commissioner in promulgating rules that effect the summons process as it pertains to the service of a Universal Summons by a peace officer. These rules and regulations, effective immediately, pertain to all peace officers as may be designated by the Police Commissioner, who are employed by various agencies within the City of New York and are empowered by law to issue this summons.

B. When a Universal Summons May Be Used

The New York City Police Commissioner pursuant to Rule 10 of Rules of Criminal Court of the City of New York has authorized members of the New York City Police force, special patrolmen appointed by him and other peace officers in the City of New York as he may designate, to serve a Universal Summons upon instead of arresting a PROPERLY IDENTIFIED PERSON, at least 16 years of age, who commits any of the offenses listed on appendices attached, BELOW THE GRADE OF A FELONY in New York City.

Exception: A Universal Summons must not be issued in lieu of arrest, when the offender is unable to care for himself because of injury, illness or intoxication.

NOTE: Appendices A, B, C, and D list the traffic and other offenses for which Universal Summonses may be issued, as well as the .14 misdemeanors or violations of the Penal Law.

C. Guidelines for Establishing a "Properly Identified Person"

When an arrest for a summonsable offense other than traffic violations, is brought to the attention of the Tour Commander, involving a person whom is apparently law abiding; the Tour Commander shall determine what documentary proof of identification the defendant possesses.

Items such as: driver license, company identification cards, valid credit cards, military service identification cards, etc., are normally useful indices of identity. When the Tour Commander is satisfied with the evidence of identification, he may direct the issuance of the Universal Summons in lieu of a Desk Appearance Ticket or arrest.

D. Procedure for Filling Out the Universal Summons

Whenever a member of the force issues a Universal Summons for any offense, he must indicate on the summons the manner in which a plea of guilty may be entered by marking an "X" in the box corresponding to Instruction A, B, or C.

Whenever Box "A" is marked, to indicate that the plea may be made by mail, the officer must also indicate to the violator, the scheduled fine for the offense charged. This will be done by marking an "X" in the appropriate dollar amount box or, if no box is provided for the scheduled fine concerned, by writing correct dollar amount in the space marked OTHER. In traffic cases where a scheduled line is predetermined in accordance with Appendix "A" you must use Box "A" and indicate the amount of the fine. In no case will the offense be listed as ILLEGAL PARKING. It must be descriptive and tell what type of illegal parking is involved and the fine indicated.

When Box "B" or "C" is checked, no fine is to be indicated.

E. Court Appearances

In most cases the summoning officer will not be required to appear in court on the return date of a summons. His appearance will be required only on a plea of not guilty by the defendant in which case the court will notify the summoning officer and the defendant of the scheduled court date. Members of the force will comply with P.D.I. 6-4 (Court Appearances) when attending court.

F. Scheduling of Returnable Dates

In Manhattan, Part 7A has requested that none of these cases be scheduled on Thursdays due to the heavy court calendar.

You will make your returnable dates 15 to 19 days from date of issuance, excluding weekends, Thursdays or holidays, similar to the Traffic Swoons Control Bureau- schedule in P.D.I.6-1. At the New York airports, the

commanding officers will check with the proper part of the court to ascertain the returnable dates required.

G. G. Scheduling of Police Officers on Not Guilty Pleas

Since the police officer is not required to be present on the returnable date, a court appearance date must be scheduled by the court clerk. Should the defendant plead not guilty, in Part 7A cases in Manhattan the court clerk requires current copies of the work schedule of the summoning officers. Commanders, who will be using the universal summons for criminal violations other than traffic, will insure that officers supply current work schedules to the court clerk. This is required to minimize the court clerk scheduling trial dates, which would conflict with the police officer's regular days off.

At the New York airports, the Commanding Officers will communicate this information to the clerk of the court in Queens where the summonses are returnable.

H. Manifesting of Summons Papers

On Manhattan cases the summons papers must be manifested and made returnable to Park 7A at 52 Chambers Street, New York City, New York. They will be placed in a white envelope, PA 3005; with the transmittal form PA 1711A picked up by the summons courier and delivered separately by the summons courier to the proper part of the court.

Summonses issued at New York airport facilities for these types of violations will be manifested as above and forwarded as per existing procedures to the proper part of the Queens Court.

I. Processing of Summonses used for Criminal Violations

1. Facility Serial Numbers

Facility serial numbers for all Universal Summonses used for Traffic Offenses or Criminal Violations, will continue with the present system of starting with the number 0001 on January 1 of each year.

In preparing the PA 1711A (Summons Record & Report), on criminal cases only, the Complaint Report number will be placed along side the "location" on the extreme right side margin; e.g. 439-75, for cross reference purposes.

2. PA Form 74A - Summons Record

A When an officer issues a New York City Summons in lieu of arrest, he will prepare a PA 74A, in duplicate. The copy will be filed at the facility in sequence of facility serial number. The original will be forwarded to the Police Division Crime Analysis Section for the master file.

B PA 74k, Summons Record, is controlled and identified in the following manner:

- 1 Each 74A is assigned to a facility serial number at the time of its preparation.
- 2 Numbers run in numerical order beginning with the first case reported each year and are prefixed by the letter "P" constituting the code designation for Universal Summonses issued for violations of the Penal Law. The suffix to the case number indicates the year in which the report was prepared, i.e. P209-75 would indicate this to be the 209th form 74A 'recessed by the facility concerned, in the year 1975.

3. Summons - Agency Copy(s)

The issuing officer will record the facility serial number on the front, upper, right-hand side of the agency copy(s). Agency copies of summonses served for criminal violations should be filed separate from those summonses issued for traffic violations for easy reference. The hardcopy will be filed in order of the facility serial number and the yellow copy will be filed in alphabetical order thus providing a cross-reference.

4. Responsibilities of Desk Officers

The desk officer on the 12 midnight to 8 AM tour of duty completes and signs the PA 1711A "Summons Record and Report" for all summonses issued for criminal offenses. All summonses listed numerically on the form are placed in a large WHITE envelope, PA Form 3005, sealed, addressed and:

- a. At all New York Facilities except those located on Staten Island, summonses are forwarded to

Summons Part, New York County
346 Broadway, New York, N.Y. 10013

- b. At Staten Island Bridge facilities, forwarded to the proper part of the Richmond County court

Page 1 (white) of PA Form 1711A is retained at the police desk as a record of summonses forwarded, in a POST BINDER. Page 2 (yellow) will be forwarded to the Police Division Crime Analysis Section. Pages 3 and 4 may then be discarded.

5. Police Division - Crime Analysis Section

It will be the responsibility of the Crime Analysis Clerk to compare PA Form 74A received against those summonses recorded on PA 1711A after which these forms will be filed.

6. Court Appearances

Officers are required to complete PA 74A on all court appearances printing "Follow-Up" on the reverse side of both copies. These follow-up copies are to be distributed in the same manner as the original PA 74A.

7. Numberin7 System on PA 1711A

Each sheet of the PA 1711A is prenumbered and should be used in sequence. When ordering from the stockroom, order in units of 100 so that the serial numbers in the Post Binder will run in sequence.

III. DISPOSITION OF CASES

The dispositions of criminal cases are required to be forwarded to the criminal record section on a Criminal Complaint Report follow-up report. The court has indicated that it cannot notify us of the dispositions of summonsable cases. The court clerk has suggested a procedure, which is followed by other departments utilizing the universal summons. It is recommended that Commanding Officers follow this basic procedure or make other arrangements to obtain these dispositions from the court, on cases where the summoning officer does not appear.

Procedure

Monthly or more often if required a clerical man will go to the court to search the court records for dispositions. At the time that he obtains these dispositions, he will also be able to determine the number of cases in which there has been no appearance for the previous 30 days. He will contact the warrant officer of the court to determine what action the court has taken to bring the defendant before the bench. Where a warrant has been issued, cooperation will be extended to the warrant officer in executing the warrant for persons who fail to appear on summonsable cases issued by a member of the force.

APPENDIX A

UNIVERSAL SUMMONS USE OF BOX A

Where the violator can plead guilty by mail.

BOX "A" Traffic Cases returnable in Part 5 "Traffic"

<u>VIOLATION</u>	<u>SCHEDULED FINE</u>
Double Parking	\$25
Fire Hydrant	\$35
Fire Zone Parking	\$35
Parking Meter Violation (N.Y. Airports)	\$10
All other Parking Violations	\$15
 All other traffic infractions (Excluding those described in Appendix "B" and any arrest cases required to be heard in Part I) e.g.: Drunk Driving, Driving while impaired, Leaving Scene, Dangerous Cargo Cases.	 \$15

Box "A" Non Traffic cases returnable in Part 6 or 7 "Non Traffic"

VIOLATION - Violations of Port Authority and State Laws, where the fine is specifically scheduled in the law. The amount of the fine must be entered on the summons in the appropriate box.

APPENDIX B

UNIVERSAL SUMMONS USE OF BOX B

Where the fine may vary and defendant may answer by mailing in summons form.

Box "B" Traffic Cases returnable is Part 5 "Traffic"

VIOLATION - Speeding, Unlicensed Operator (Late renewal only)

Box "B" Non Traffic Cases returnable in Part 6 or 7 "Non Traffic"

VIOLATION - Violations of PATH Rules & Regulations 2 through 7, Chapter 665 Laws of New York 1964 and any other violations where the fine is not specifically scheduled but does not exceed \$15.

Violations of Administrative Code 775 (4) 2.0 Sub B or C (Stripping of Vehicles).
Exception: Richmond makes returnable in Part I or Criminal Court. (Memo dated September 30, 1969).

APPENDIX C

UNIVERSAL SUMMONS USE OF BOX C

Where defendant must appear to answer charge.

BOX "C" Traffic Cases returnable in Part 5 "Traffic"

VIOLATION - All Traffic Violations and Traffic Misdemeanors not included in Appendix A and B. EXCEPT arrest cases listed below:

1. Leaving Scene
2. Motor Vehicles engaged in Transportation of Dangerous Articles
3. Operating a motor vehicle with a license obtained in violation of section. 392 NYS Motor Vehicle and Traffic Law.
4. Any violation of 392A or NYS VTL
5. Any violation of 421, 422, 423 and 426 of NYS VTL pertaining to stolen and altered motor vehicle.
6. Drunk Driving and Driving while impaired

BOX "C" Non Traffic cases returnable in Part 6 or 7 "Non Traffic"

VIOLATION - Violations of PATH Rules & Regulations Number 1, "Smoking", Chapter 665 Laws of New York 1964.

Violations of Chapter 142 Laws of New York 1953. "Smoking at Air & Marine Terminals".

Violations of Administrative Code 775 (4) 2.0 Sub E or F (Stripping of Vehicles).
Exception: Richmond make returnable in Part 1 of Criminal Court. (Memo dated September 30. 1969)

APPENDIX D

UNIVERSAL SUMMONS USED FOR A MISDEMEANOR OR VIOLATION OF THE FOLLOWING SECTIONS OF THE NYS PENAL LAW:

1. 145.30 Unlawfully posting advertisement
2. 165.15 Sub 3 Evasion of payment of fare bus, train, and etc.
Sub 4 Evasion of payment of telecommunication service (Tampering)
Sub 5 Evasion of payment of metered services (Tampering)
3. 170.55 Unlawful use of slugs in coin machine
4. 195.10 Refusing to aid a peace officer
5. 230.05 Patronizing a prostitute
6. 195.15 Obstructing fire fighting operations
7. 240.25 Sub 4 Engages in conduct commonly called hazing (Harassment)
Sub 5 Harassment by conduct which alarms or seriously annoys
8. 240.35 Sub 5 Loiters about a school
Sub 7 Loiters or remains in Transportation Facility for soliciting
Sub 8 Loiters, remains or sleeping in a Transportation Facility
9. 240.50 Falsely reporting an incident
10. 245.01 Exposure of female (breasts must be covered by opaque covering)
11. 245.02 Promoting the exposure of a female
12. 245.05 Offensive exhibition
13. 260.20 Sub 1 Unlawful admission of child under 16 to pool hall, bowling alley or place where alcoholic beverages are present
14. 270.10 Creating a hazard
15. 221.05 Unlawful Possession of Marihuana (25 grams or less)

NOTE: The above 14 crimes are also listed as eligible for release on a DESK APPEARANCE TICKET at the facility, or at the local N.Y.C. Precinct

This gives the Tour Commander, in these cases, the discretion to:

1. Authorize use of a Universal Summons for a "PROPERLY IDENTIFIED PERSON"
2. A Desk Appearance Ticket
3. Authorize a physical arrest when none of the conditions for release on a summons can be met.

DESK APPEARANCE TICKETS

A. Background

Desk Appearance Ticket cases eliminate the immediate court appearance of a member of the force, reduce the costs of detention and transportation and permit better scheduling of court appearances. The interval of time between the issuance of the D.A.T. and the court appearance permits the defendant to obtain counsel and prepare his case, and thereby reduces the total number of court appearances on each case.

The complainant is afforded the opportunity to make provision for his court appearance and eliminates the often inconvenient immediate trip to the Criminal Court to sign the necessary affidavits.

The basis of the Desk Appearance Ticket is the belief that persons with certain demonstrable roots in the community may be relied upon to appear voluntarily in compliance with a D.A.T. in lieu of arrest. To objectively measure these factors, the defendant, with his or her consent, is interviewed at the facility. The information obtained, subject to verification, is weighed, using a point scale system and if minimum standards are met, the person arrested may be considered for release by the Port Authority Superior Officer after telephone consultation with the New York City Precinct Desk Officer and a Desk Appearance Ticket is issued.

B. Authority for Issuance

New York City Police Department T.O.P. 456 of 1968, 456-1, 2, 3 of 1969 and New Court Pula 10, issued by the Appellate Division has granted authority to use and issue Desk Appearance Tickets at our facilities. Commanding Officers will determine, based on their operational requirements, whether or not they wish to use this procedure or bring the prisoner to the New York City Precinct for handling. If they use this procedure, they will coordinate with the local Precinct Commander before instituting same and cite this authority for its use.

C. Policy

Persons arrested for any DIMSDEMBANOR OR VIOLATION, with the exception of:

1. Those misdemeanors and violations listed in Section 940, Code of Criminal Procedure;
2. Violations for which the Precinct Desk Officer is not authorized to accept bail or give personal recognition;

must be informed that upon consenting to an interview, they may be released on a Desk Appearance Ticket in lieu of being detained. This procedure must be followed regardless of the fact that arraignment court is in session.

Note: As a guide, Appendix A is attached, showing the following:

- The crimes for which release on a Desk Appearance Ticket is NOT authorized.
- Listing of every misdemeanor and violation in the Penal Law for which release on a Desk Appearance Ticket is authorized.

The above procedure is NOT required in the case of violations of law, which currently are handled by use of the UNIVERSAL SUMMONS.

D. PROCEDURES

1. Waiver of Interview

Persons unfamiliar with the criminal justice system may easily be dissuaded from consenting to a Desk Appearance Ticket Investigation, thinking it would be better to go directly to court. To prevent this, Tour Commanders and Desk Sergeants shall, in any case in which the defendant indicates that he does not wish to be considered for a D.A.T. fully explain to the defendant that if he elects to go to court, he may be held in bail until the case is disposed of. In all such cases, the Tour Commander shall personally determine that the defendant is aware of the opportunity to receive a Desk Appearance Ticket in Lieu of detention.

When an arrest for one of the offenses listed in Appendix A is brought to the attention of the Tour Commander or Sgt. involving a person who is apparently normally law abiding, the Tour Commander or Desk Sergeant shall determine what documentary proof of identification the defendant possesses. If the Tour Commander or Desk Sergeant is satisfied with the documentary evidence, he may direct the issuance of a Desk Appearance Ticket without the necessity of requiring the conducting of a D.A.T. investigation.

In such cases, the issuing officer shall record the nature of the documentary evidence on the D.A.T. investigation report in lieu of conducting the entire investigation.

NOTE: Current procedures governing the issuance of Desk Appearance Tickets do not mandate verification. If the Tour Commander or Desk Sergeant and the investigating officer are satisfied that the information given by the defendant is apparently true, a D.A.T. may be authorized without verification. Particular attention must be paid to any documentary evidence offered by the defendant in establishing his identity. Items such as: drivers license, company identification cards, valid credit cards, military service identification cards, etc., are normally useful indices of identity and may be accepted in lieu of Desk Appearance Ticket verification.

2. When interviewed

To conserve time, Tour Commanders shall interview the following persons initially when brought to him, and shall authorize complete investigation only

for those whom he believes stand a reasonable chance of meeting the criteria:

- A. Persons arrested for:
 - Sec. 240.20 PL Disorderly Conduct
 - Sec. 240.25 PL Harassment
 - Sec. 240.30 PL Aggravated Harassment
 - Sec. 240.35 PL Loitering (except Subd. 3)
 - Sic. 240.43 PL Criminal Nuisance
- B. Persons who are admitted current narcotics users.

3. Mass Arrests,

Where large numbers of persons have been arrested, as in the case of demonstrations, the conducting of the Desk Ticket investigation may prejudice the rights of the defendants by delaying their arraignment. Therefore, the interview for release on the New York City Desk Appearance Ticket may be waived by the Tour Commander, if the arraignment court is in session.

In addition, where a demonstration is conducted at a public or private location in which the defendants are all connected with such a location, e.g. Employees of a company at whose place of business the demonstration took place, the interview for release on the desk ticket may be waived by the Tour Commander and the desk ticket issued, to the defendants without investigation, provided they are properly identified and the likelihood of their returning to the scene does not exist.

4. Waiver of Investigation

Whenever a summons investigation is waived, such as in Paragraph 1, 2, 3 or if the defendant refused an interview, entry must be made in the Police Blotter, on the Criminal Complaint Report, and the New York City Police Department U.F.4 (Arrest Report), Remarks Section.

5. Facility Desk Procedure

- A. When a prisoner, charged with a crime for which a desk summons may be served, is brought to the police desk or other authorized facility location in New York City, when the desks are located in New Jersey, the Tour Commander will inform the defendant that he/she can submit to an interview and upon qualifying may be released with a summons in lieu of the normal arrest procedure.
If the defendant consents, the identification interview shall be conducted by the arresting or other assigned officer.
- B. The member of the force conducting the interview shall make the necessary BCI name check, through the Central Police Desk and the local facility records and in the case of a minor, through the Central Police Desk to the Youth Records Section of the Central Records Office of the New York City Police Department.

- C. After the summons investigation/interview is completed, the completed form with the officer's recommendation will be given to the Tour Commander.
- D. The Tour Commander will consider the recommendation in making his determination on whether to issue a desk appearance ticket or detain, however, he is not bound by this recommendation. In making his determination, the Tour Commander must consider all factors; e.g. Circumstances, Previous Criminal Records, etc.
- E. A defendant will be considered eligible for the issuance of a desk appearance ticket if he/she:
 - 1. Attains a minimum of 5 points on the investigation form.
 - 2. Is not incapacitated due to intoxication or injury (see par.5 for Hospitalized Prisoners).
 - 3. Is not an admitted current narcotic user.
- F. If the defendant qualifies, the Tour Commander will telephone the favorable recommendation to the New York City Precinct Desk Officer, identifying the defendant, naming the charge, number of Points scored in the investigation, the results of the name check and whether or not verification was conducted. The Precinct Desk Officer shall consider the recommendation of the Port Authority Superior/Tour Commander, and will either approve or disapprove the service of the desk appearance ticket at the facility.
 - 1. When disapproved, the defendant must be taken to the-Precinct for booking. When approved, the Precinct Desk Officer will give the Port Authority Superior the Precinct control number and his name and rank, to be placed on the desk appearance ticket.
- G. When authorization and Pct. Control no. is obtained, the D.A.T. (Appendix B) will be prepared by the arresting officer and served on the defendant. The following returnable dates will apply in these cases.
 - 1. The Desk Appearance Ticket will be made returnable at 9:00 AN anytime within 21 days of the date of service, after consultation with the Tour Commander, who will take in the following considerations:

The officers duty chart -- it must be a working day and preferably an 8-4 tour to prevent tour changes.

Previous court appearances or other commitments of the officer for the day of return.

Returnable-dates of other D.A.T.'s for the officer within the 21-day period. (Attempt will be made to make as many returnable on the same date to the same part of Criminal Court to permit proper utilization of court appearance manpower).

Request of the civilian complainant, if any, may be taken into consideration in determining the returnable date. However, the civilian

complainant will be instructed to appear at the proper court on the return date, where he must meet the arresting officer to sign the Information-Complaint.

2. All arrests, including arrests which result in defendants being issued Desk Appearance Tickets, will be arraigned in the arraignment part of the Criminal Court, except as follows:

- a Arrests and Desk Appearance Tickets issued to defendants for family offenses, as defined in Section 812 of the Family Court Act, will continue to be arraigned in Family Court.
- b Desk. Appearance Tickets issued for all misdemeanors will be made returnable to the arraignment part of the Criminal Court, Part 5. The unnumbered Universal Summons Affidavit will no longer be utilized in these cases. Arresting officers will be required to appear in court on the return date to prepare the court complaint.

Police Officers effecting arrests for Peddling, which result in defendants being issued Desk Appearance Tickets, returnable in Part 7, will not be required to appear in court on the return date. In these cases, the court complaint will be prepared on an unnumbered Universal Summons Affidavit.

- c Prisoners who are 19 years of age or over -- Part 1 of the Criminal Court. Prisoners who have reached the age of 16 but have not reached the age of 19 and their co-defendants -- Part 3 of the Criminal Court.
- d D.A.T.'s may be made returnable to Part II of the Criminal Court (Night Court) on the date of issuance only, when there are codefendants in the arrest and one or more of them have been determined ineligible. Those determined eligible may be issued the summons, returnable that night in Part II, where all the co-defendants will be arraigned at the same time.

H. Preparation of Desk Appearance Tickets

The Desk Appearance Ticket will be prepared in triplicate. The original will be delivered to the Precinct desk officer for forwarding to the Criminal Courts, unless the summons is made returnable in Part II (Night Court) on the same day or is made returnable within 3 days. In this case the original shall be retained by the summoning officer who will appear in court. The duplicate will be given to the defendant. The triplicate is to the facility police files to be attached to the Criminal Complaint Report (PA 2113). Both the issuing officer and the defendant must sign all copies. In addition, the defendants address, apartment number and residence borough must be included with the defendant's name on the first line of the summons.

In the box captioned "Serial Number" the New York City Precinct control number will be entered. In the box captioned "Precinct" the New York City Precinct number will be entered. In the box captioned "Arrest Number" the New York City Precinct Arrest Number will be entered. In the box captioned "Issued By" the name and command

(PABT) of the arresting/issuing officer will be entered. Across the top above the caption "City of New York" print, type or use rubber stamp captioned "Port Authority." The rest of the boxes are self-explanatory.

I. Facility Blotter Entries

Regular Criminal Complaint Blotter entries for an arrest are to be made with the addition of the Port Authority Arrest number, Desk Appearance Ticket number assigned by the New York City Police Department, returnable date of the summons and name of the New York City Police Department Desk Officer authorizing issuance.

J. Forwarding of Papers to the New York City Precinct

In cases in which Desk Appearance Tickets have been served, the following will be delivered to the desk officer of the New York City Precinct concerned, no later than 2:00 PM for summons served prior to that time and no later than 11:00 PM for summonses served after 2:00 PM or other arrangement made between the Precinct concerned and the facility Commanding Officer.

1. Completed Summons Investigation Report (Form #357-NYCPD'
2. Completed New York City UF 4 and UF 5's (NYCPD Arrest Cards)
3. All evidence pertaining to the case with completed Property Clerk Vouchers. (MIS Property Clerk Voucher - PC #1 Rev. 4/67)
4. The original signed Desk Appearance Ticket.

K. Preparation of other Forms; Summons Issued in Lieu of Arrest Procedure

1. The word SUMMONS will be written across the face of the UP 4 and OF 5 and PA arrest card (PA 2641) and the Criminal Complaint Report (PA 2113).

NOTE: A rubber stamp may be used in these cases.

2. Where property (evidence) is involved, a New York City Police Department property clerk voucher (PC 1 - Rev. 4-67) must also be prepared at the facility desk.

In preparing same, when listing property, always list money first, then personal property, and finally general property.

Insert an extra green copy with a carbon under Page I of the tear-apart form for the New York City Precinct and Xerox a copy to be filed with the facility copy of the Criminal Complaint Report.

When the voucher is turned in at the New York City Precinct with the property, fill in the voucher number on the Xerox copy.

3. All other forms required for all regular arrest cases and procedures will be complied with.

L. Court Appearance

Except where specifically excused, a member of the force issuing a Desk Appearance Ticket will appear in court on the return date of the summons.

The only exceptions to this rule are as follows:

When a hospitalized prisoner is issued a Desk Appearance ticket by other than the arresting officer, the issuing officer need not appear on the return date. However, notification will be made to the command of the arresting officer and he shall appear on the return date of the summons.

A member of the force issuing a Desk Appearance Ticket on which his appearance on the return date is required, may, at any time prior to the return date of the summons, appear in the complaint room of the Criminal Court, county concerned, and prepare the court complaint on this case. He will then take the completed complaint, without docketing, to the clerk in charge of Part 1A(1B in the Bronx) of the Court, who will swear the complaint and accept it from the officer. The officer will provide the court clerk with several recommended adjournment dates for the case, in accordance with P.D.I. 6-4. In these instances, the officer need NOT appear in court on the return date of the ticket and will notify the facility desk officer to delete the court appearance notation from the facility diary. A member of the force may not utilize this procedure if the case is one in which a civilian complainant must also appear on the return date, but must appear at the same time as the complainant

Officers with pending Desk Appearance Ticket cases who are required to appear in court on other cases prior to the return date of the Desk Appearance Ticket, will be directed to prepare the complaint on the desk ticket immediately after their court appearance has been completed.

If at any time prior to the return date of a desk ticket in a case in which the officer must appear, the officer becomes aware of his inability to appear on the return date, the Commanding Officer will be notified and he will make provision for the officer to appear at the complaint room for the preparation of the complaint prior to the return date.

To insure a court appearance, an entry will be made on the proper page of the facility diary on the date of issuance, indicating the appearance. Where a member of the force is unable to appear on such date, the provisions of P.D.I. 6-4, Paragraph VI, C, will be strictly complied with.

On the returnable date, the officer will pick up the original copy of the Desk Appearance Ticket from the Court Clerk, before appearing in the complaint room. This procedure serves to notify the court clerk that the issuing officer is present and eliminates unnecessary notifications.

6. Summoning of Hospitalized Prisoners

When arrest is made for a misdemeanor or violation summonsable under this procedure, and the prisoner is injured or hospitalized, the prisoner may be issued a summons for the charge, provided that the injury does not affect his mental capacity or otherwise impair his ability to accept service of the summons.

A hospitalized prisoner, who because of his injury was not qualified for a summons at the time of his arrest, may be considered for a summons when he has sufficiently recovered from his injury and the attending physician so specifies. Commanding Officers will make arrangements to have the appropriate summonses issued in these cases, by the arresting officer.

7. Name Checks with the Identification Section

Regardless of whether or not the information obtained from the defendant is verified, a name check must be conducted on all defendants considered for a Desk Appearance Ticket.

Regardless of whether or not the information obtained from the defendant is verified, a name check must be conducted on all defendants considered for a Desk Appearance Ticket.

This will be handled in accordance with P.D.I. 5-2. The most important items of information required for the proper conduct of a name check are the following:

- Correct name and any alias used.
- Present address and previous addresses used during the past five years.
- Date of Birth.
- Any admissions of previous arrests made by the defendant.

Name checks will not be conducted until all other information has been verified. If it is evident that the defendant cannot qualify for the issuance of a summons, the name check will not be conducted.

When the name check indicates the defendant may possibly be a wanted person, the following action will be taken:

The Central Police Desk Sergeant will notify the Tour Commander of the affected facility with the information provided. Where the name check indicates that the defendant is possibly a wanted person, NO DESK APPEARANCE TICKET will be authorized, and normal arrest procedures must be followed. The arresting officer will notify the Precinct Desk Officer of this fact when he is booked and advise that the wanting agency has been notified by our Department.

8. Reports

Commanding Officers will exercise strict control of this procedure and will permit only Tour Commanders to operate under this procedure and will submit a report to the D.I. - Operations by the fifth of each month. Attention. Crime Analysis Section Clerk, in basically the following format:

- A. Total number of arrests for the preceding month for crimes, which are summonsable under this program.
- B. Total number of desk summonses served in lieu of arrest.
- C. Total number of cases in which summons investigations were waived pursuant to Par. 3 of Procedures in this order.
- D. Total number of persons refusing to be interviewed.

- E. Total number of cases where defendant was interviewed and failed to qualify.

NOTE: Total B, C, D, and E should equal total under A.

- F. Any suggestions for improvement in the system

M. CRIMINAL COMPLAINT REPORTS

P.D.I. 4-10, Par. V-A, B and C establishes when a criminal complaint is to be prepared. While certain violations of law may be bandied by use of a D.A.T. in lieu of arrest, the processing of a case by this manner does not relieve the officer from reporting on the Criminal Complaint Report and follow-up reports.

Whenever a Criminal Complaint Report is prepared and has been handled by use of a D.A.T., the word "SUMMONS" will be clearly stamped or printed across the face of the Criminal Complaint Report to indicate same, and D.A.T. serial number included in the narrative report.

APPENDIX A

DESK APPEARANCE TICKETS

The following Misdemeanors and Violations are referred to in section 940 of the Code of Criminal Procedure, and therefore are fingerprintable and ARE NOT SUMMONSABLE, and a Desk Appearance Ticket cannot be issued for these offenses.

1. Any offense, which would become a Felony if the person had been previously convicted of a crime:
 - a. Elective Franchise - Election Law, Article 16 previous conviction of any Misd. in Act. 16.
 - b. Sec. 265.10, Subd. 4. P.L. - Disposing of Weapon - previous of any crime.
 - c. Sec. 265.35, Subd. 1. P.L. • Use of imitation pistol - previous of any crime.
 - d. Transportation of Dangerous Articles by motor vehicle (Sec. 380 V.T.L.) • two previous convictions of same crime.
 - e. Driving motor vehicle or motorcycle while intoxicated or while the ability is impaired by use of a drug. (Sec. 1192, subd. 2) - previously convicted of same crime.
 - f. Sale or possession of illicit alcoholic beverage (Sec. 152 ABC Law) - previous conviction of same crime or Sec. 154, ABC Law.
 - g. Premises used for manufacture or storage of illicit alcoholic beverage (Sec. 154. ABC Law) - previous conviction of same crime or Sec. 152 ABC Law

2. Any of the Offenses listed in Section 552, C.C.P.:
 - a. Sec. 265.05 P.L. - Possession of Weapons and dangerous instruments and appliances (Class A Misd.)
 - b. Sec. 140.35 P.L. • Possession of Burglars Tools (Class A Misd.)
 - c. Sec. 165.40 P.L. - Criminal Possession of Stolen Property in the 3rd Degree (Class A Misd.)
 - d. Sec. 205.05 P.L. - Escape in the 3rd Degree (Class A Misd.)
 - e. Sec. 165.25 P.L. - Jostling (Class A Misd.)
 - f. Sec. 165.30 P.L. - Fraudulent accosting (Class A Misd.)
 - g. Subd. 3, Sec. 240.35 P.L. - Loiters or remains in a public place for the purpose of engaging or soliciting another person to engage, in deviate sexual intercourse or other sexual behavior of a deviate nature (Violation).
 - h. Sec. 260.10 P.L. - Endangering the Welfare of a child. (Class Misd.)

- i. All of the Offenses enumerated in Article 235. P.L.
- j. Sec. 125.60 P.L. - Issuing Abortional Article (Class B Misd.)
- k. Sec. 230.20 P.L. - Promoting Prostitution in the 3rd Degree (Class A Misd.)
- l. Sec. 230.40 P.L. Permitting Prostitution (Class B Misd.)
- m. The offenses enumerated in Article 130 P.L.
 - 1. 130.20 • Sexual Misconduct (Class A Misd.)
 - 2. 130.38 - Consensual sodomy (Class B Misd.)
 - 3. 130.55 - Sexual Abuse in the 3rd Degree (Class B Misd.)
 - 4. 130.60 - Sexual Abuse in the 2nd Degree (Class A Misd.)

NOTE: The remaining offenses in Article 130 are felonies and as such are not summons- able.

- n. The offenses listed in Article 220 Penal Law.
 - 1. Sec. 220.05 - Criminal Possession of dangerous drug in the 4th Degree (Class A. Misd.)
 - 2. Sec. 220.45 - Criminally possessing a hypodermic instrument (Class A Misd.)
 - o. Illegal possession of rifle or shotgun by an adjudicated incompetent - Sec. 265.05 subd. 10 P.L. - (Class A Misd.)
 - p. Illegal manufactories, transporting and/or disposition of pistol or ocher dangerous weapon - Sec. 265.10, subds. 1, 2, 5 and 7 P.L. - (Class A Misd.).
 - q. Illegal use of pistol or other dangerous weapon - Sec. 265.35. subd. 2 and 4 P.L. (Class A. Misd.)
3. The misdemeanors listed in Article 225 Penal Law -
- a. 225.05 - Promoting Gambling in the 2nd Degree (Class A Misd.)
 - b. 225.15 - Possession of gambling records in the 2nd degree (Class A Misd.)
 - c. 225.30 - Possession of gambling device (Class A Misd.)
4. Sec. 165.35 P.L. - Fortune Telling (Class B Misd.)
5. Sec. 230.00 P.L. - Prostitution (Violation)

The following Misdemeanors and Violations listed in the Penal Law ARE SUMMONSABLE and a D.A.T. may be issued.

Title G - Article 100 - Criminal Solicitation

- 100.00 Criminal Solicitation in the 3rd Degree (Violation)
- 100.05 Criminal Solicitation in the 2nd Degree (Class A Misd.)

Article 105 - Conspiracy

- 105.00 Conspiracy in the 4th Degree (Class B Misd.)

105.05 Conspiracy in the 3rd Degree (Class A Misd.)

Article 110 - Attempt

110.05 - Subd. 5, Attempt to commit a Class E Felony (Class A Misd.)

110.05 - Subd. 6, Attempt to commit a Misdemeanor (Class B Misd.)

Article 115 - Criminal Facilitation

115.00 Criminal Facilitation 2nd Degree (Class A Misd-)

Title H - Article 120-Assault and Related Offenses

120.00 Assault 3rd Degree (Class A Misd.)

120.15 Menacing (Class B Misd.)

120.20 Reckless Endangerment in the 2nd Degree (Class A Misd-) •

Article 125 - Homicide, Abortion and Related Offenses

125.50 - Self-Abortion in the 2nd Degree (Class B Misd.)

125.55 - Self-Abortion in the 1st Degree (Class A Misd.)

Article 135 - Kidnapping, Coercion and Related Offenses

135.05 Unlawful imprisonment in the 2nd Degree (Class A Misd.)

135.45 Custodial interference in the 2nd Degree (Class A Misd.)

135.60 Coercion in the 2nd Degree (Class A Misd.)

Title I - Article 140 - Burglary and Related Offenses

140.05 Criminal Trespass in the 3rd Degree (Violation)

140.15 Criminal Trespass in the 2nd Degree (Class A Misd.)

140.15 Criminal Trespass in the 1st Degree (Class B Misd.)

140.15 Criminal Trespass in the 1st Degree (Class A Misd.)

Article 145 - Criminal Mischief

145.00 Criminal Mischief in the 3rd Degree (Class A Misd-)

145.15 Criminal Tampering in the 2nd Degree (Class B Misd.) •

145.25 Reckless Endangerment of Property (Class B Misd.)

145.30 Unlawfully Posting Advertisements (Violation)

Title J Article 155 - Larceny

155.25 Petit Larceny (Class A Misd.)

Article 165 • Other Offenses Relating to Theft

165.00 Misapplication of Property (Class A Misd.)

165.05 Unauthorized Use of a Vehicle (Class A Misd.)

165.15 Theft of Services (Class A Misd.)

165.20 Fraudulently Obtaining a Signature (Class A Misd.)

Title K - Article 170 - Forgery and Related Offenses

170.05 Forgery in the 3rd Degree (Class A Misd.)

- 170.20 Criminal Possession of a forged instrument 3rd Degree (Class A Misd.)
- 170.45 Criminal Simulation (Class A Misd.) -
- 170.55 Unlawfully Using Slugs in the 2nd Degree (Class B Misd.)

Article 175 - Offenses Involving False Written Statements

- 175.05 Falsifying Business Records 2nd Degree (Class A Misd.)
- 175.20 Tampering with Public Records 2nd Degree (Class A Misd.)
- 175.30 Offering a False Instrument for Filing 2nd Degree (Class A Misd.)
- 175.45 Issuing a False Financial Statement (Class A Misd.)
- 175.50 Presenting a False Insurance Claim (Class A Mind.)

Article 180 - Bribery not involving Public Servants and Related Offenses

- 180.00 Commercial Bribing (Class B Misd.)
- 180.05 Commercial Bribe Receiving (Class B Misd.)
- 180.50 Tampering with a Sports Contest (Class A Misd.)
- 180.55 Rent Gouging (Class B Misd.)

Article 185 – Frauds on Creditors '

- 185.00 Fraud in Insolvency (Class A Misd.)
- 185.0 Fraud Involving a Security Interest (Class A Misd.)
- 185.10 Fraudulent Disposition of Mortgaged Property (Class A Misd.)
- 185.15 Fraudulent Disposition of Property Subject to a Conditional Sale Contract (Class A Misd.)

Article 190 - Other Fraud

- 190.05 Issuing a Bad Check (Class B Misd.)
- 190.20 False Advertising (Class A Misd-)
- 190.25 Criminal Impersonation (Class A Misd.)
- 190.35 Misconduct by a Corporate Official (Class B Misd.)
- 190.45 Possession of Usurious Loan Records (Class A Mad-)
- 190.50 Unlawful Collection Practices (Class B Misd.)

Title L. - Article 195 - Official Misconduct and Obstruction of Public

- 195.00 Official Misconduct (Class A Misd.)
- 195.05 Obstructing Governmental Administration (Class A Misd.)
- 195.10 Refusing to aid a Peace Officer (Class B Misd.)
- 195.15 Obstructing Firefighting Operations (Class B Misd.)

Article 200 - Bribery Involving Public Servants and Related Offenses

- 200.30 Giving Unlawful Gratuities (Class A Misd.)
- 200.35 Receiving Unlawful Gratuities (Class A Misd.)

Article 205 - Escape and other Offenses Relating to Custody

- 205.20 Promoting Prison Contraband in the 2nd Degree (Class A Mind.)
- 205.30 Resisting Arrest (Class A Misd.)
- 205.55 Hindering Prosecution in the 3rd Degree (Class A Mind.)

Article 210 - Perjury and Related Offenses

- 210.05 Perjury in the 3rd Degree (Class A Mind.)
- 210.35 Making an Apparently Sworn False Statement, 2nd Degree (Class A Mind.)
- 210.45 Making a Punishable False Written Statement (Class A Misd.)

Article 215 - Other Offenses Relating to Judicial and Other Proceedings

- 215.10 Tampering with a Witness (Class A Misd.)
- 215.25 Tampering with a Juror (Class A Misd-)
- 215.30 Misconduct by a juror (Class A Misd-)
- 215.45 Compounding a Crime (Class A Misd-)
- 215.50 Criminal Contempt (Class A Misd.)
- 215.56 Bail Jumping in the 2nd Degree (Class A Misd.)
- 215.58 Failing to Respond to an Appearance Ticket (Viol.)
- 215.60 Criminal Contempt of the Legislature (Class A Misd.)
- 215.65 Criminal Contempt of a Temporary State Commission (Class B Misd.)
- 215.70 Unlawful Grand jury Disclosure (Class B Mind.)
- 215.73 Unlawful Disclosure of an Indictment (Class B Mist.)

Article 230 - Prostitution

- 230.05 Patronizing a Prostitute (Violation)

Title N - Article 240 - Offenses against Public Order

- 240.05 Riot in the 2nd Degree (Class A Misd.)
- 240.06 inciting to Riot (Class A Misd.)
- 240.10 Unlawful Assembly (Class B Misd.)
- 240.20 Disorderly Conduct (Violation)
- 240.21 Disruptions or Disturbance of Religious Service (Class A Misd.)
- 240.25 Harassment (Violation)
- 240.30 Aggravated Harassment (Class A Misd.)
- 240.35 Loitering (except subd. 3 which is in Sec. 552 CCP) (Viol.)
- 240.36 Loitering in the 1st Degree (Class B Misd.)

- 240.45 Criminal Nuisance (Class B Misd.)
- 240.50 Falsely Reporting an Incident (Class B

Article 245. Offenses Against Public Sensibilities

- 245.00 Public Lewdness (Class B Misd.)
- 245.01 Exposure of a Female (Violation)
- 245.02 Promoting Exposure of a Female (Violation)
- 245.05 Offensive Exhibition (Violation)

Article 250 - Offenses Against the Right to Privacy

- 250.10 Possession of Eavesdropping Devices (Class A Misd.)
- 250.15 Failure to Report Wiretapping (Class B Misd.)
- 250.20 Divulging an Eavesdropping Order (Class A Misd.)
- 250.25 Tampering with Private Communications (Class B Misd.)
- 250.30 Unlawfully Obtaining Communications Information (Class B Misd.)
- 250.35 Failure to Report Criminal Communications (Class B Mist.)

Title O - Article 255 - Offenses Affecting the Marital Relationship

- 255.00 Unlawfully Solemnizing a Marriage (Class A Misd.)
- 255.05 Unlawfully Issuing a Dissolution Decree (Class A Misd.)
- 255.10 Unlawfully Procuring a Marriage License (Class A Misd.)
- 255.17 Adultery (Class 13.Misd.)

Article 260 - Offenses Relating to Children and Incompetents

- 260.05 Non-support of a Child (Class A Misd.)
- 260.20 Unlawfully Dealing with a Child (Class B Misd.)
- 260.25 Endangering the Welfare of an Incompetent Person (Class A Misd.)

Title P - Article 265 - Firearms and Other Dangerous Weapons

- 265.10 Manufacture, Transportation, Disposition and Defacement of Weapons and Dangerous instruments and appliances (Class A Misd.) Except subd. 4.
- 265.25 Failure to Report Certain Wounds (Class A Misd.)
- 265.35 Prohibited Use of Weapons (Class A Misd.) Except subd. 1

Article 270 - Other Offenses Relation to Public Safety

- 270.00 Unlawfully Dealing with Fireworks (Class B Misd.)
- 270.03 Unlawful Possession of Noxious Material (Class B Misd.)
- 270.10 Creating a Hazard (Class B Misd.)
- 270.15 Unlawfully Refusing to yield a Party Line (Class B Misd.)

Title W - Article 400 - Licensing and Other Provisions Relating to Firearms

- 400.00 Licenses to carry, possess, repair and dispose of firearms - violation of (Class A Misd.)

In addition to the above, all Misdemeanors and Violations contained in other laws ARE SUMMONSABLE, with the exception of these referred to in Sec. 940, Code of Criminal Procedure, and the offenses listed in Chapter 11, paragraph 2.1 - Rules and Procedures of the NYC Police Department, which constitutes violations for which the Pct. Desk Officer is not authorized to accept bail or give personal recognizance.

APPENDIX EEXCUSAL OF POLICE OFFICERS ASSIGNED TO CIVILIAN COMPLAINANT DESK APPEARANCE TICKET CASES. FROM APPEARING IN COURT ON THE RETURN DATE

In order to reduce the number of police officers required to appear in court for arraignment purposes, police officers assigned to civilian complainant arrests, which result in the issuance of a desk appearance ticket, will no longer be required to appear in court on the return date. Civilian complainants in such cases will be directed to report to the police superior officer of the court concerned, on the return date, for the purpose of preparing the complaint and swearing to it in court. Arresting officer complainant's and store detectives will be required to appear in court on the return date, to draw the complaint and process defendants through arraignment. However, arrests effected for peddling for which desk appearance tickets are issued shall continue to be processed in accordance with established procedures.

The procedure of excusing assigned police officers from appearing in court on civilian complainant-desk appearance ticket cases will be applicable to cases returnable to the various parts of the Criminal Court, the Family Court, and in all commands throughout the city.

Desk appearance tickets will be made returnable not less than ten (10) nor more than thirty five days, from the issuance date, other than Saturdays, Sundays or holidays, except in multiple arrest cases, where one or more defendants is deemed not eligible, desk appearance tickets issued to those defendants who qualify, will be made returnable to court (night, weekend, holiday or next-day session), at the same time that the other co-defendants are to be arraigned, in order to permit the arraignment of all co-defendants at the same time.

Desk appearance tickets will be made returnable at 0930 hours, except:

1. In the borough of Queens, civilian complaint - desk appearance ticket cases - returnable to the arraignment part of the criminal court, in cases where the assigned officer is excused on the return date, will be made returnable at 1800 hours. The officer assigned for the purpose of issuing the desk appearance ticket in these cases, will draw a line through the time of 9:30 a.m. on the desk appearance ticket and enter the time of 6:00 p.m. directly beneath it. The 6:00 p.m. return time will also be indicated on the "Court Appearance Instruction" form given to the civilian complainant.

Where the police officer is the complainant, the return date must be in accordance with the officer's duty schedule, as he will be required to appear in court on the return date. If an officer, assigned to a civilian complainant arrest, is required to appear in court on the return date, the return date must be in accordance with the assigned officer's duty schedule (see paragraph 7, for circumstances under which an assigned officer may be required to appear on the return date) Where the assigned officer is excused on the return date, the desk appearance ticket can be made returnable on a date convenient to the civilian complainant, other than Saturdays, Sundays or holidays, but within the 10 to 35 day time period.

For the purpose of this instruction, a civilian complainant is any person, other than a police officer, who alleges the commission of an offense and who upon arrest of the accused is required to swear to the truth of such allegation on a formal court complaint.

Therefore, effective immediately, whenever an arrest is effected on the basis of a complaint made by a civilian, and a police officer is assigned only for the purpose of taking the defendant into custody and issuing the desk appearance ticket, and the assigned police officer has no personal knowledge of the details of the case, such assigned officer will be excused from appearing in court on the return date. However, if in the process of effecting the arrest, and after the defendant has been advised of his rights, the defendant voluntarily makes statements or admissions to the assigned police officer relative to the offense charged, other than mere denial, such assigned officer may be required to appear in court on the return date. If in the opinion of the Tour Commander in the facility of arrest, the assigned officer has information which is material to prosecution of the case, or his appearance is otherwise necessary in court, he shall direct the assigned officer to appear in court on the return date.

When the assigned officer will be excused from appearing in court on the return date of a desk appearance ticket case, the civilian complainant will be directed to report to the police superior officer of the court concerned, on the return date. Such civilian complainant will be given the triplicate copy of the desk appearance ticket and a copy of the "Court Appearance Instruction-Form" (copy of which is attached to this order, with additional copies being supplied to commands concerned) This instruction form will be filled in by the desk officer and given to the civilian complainant, advising him of the date and time he is to appear in court, the location of the court and the specific room number in the court where he is required to report. In all other cases, the triplicate copy of the desk appearance ticket will be given to the police officer complainant, for presentation in court on the return date. In civilian complainant cases, the court superior officer will assign a member of his staff to assist the civilian complainant in having the court complaint prepared and docketed, and directing him to the part of the court in which the case will be arraigned.

In all civilian complainant - desk appearance ticket cases, in which the assigned officer will not appear in court on the return date, the assigned officer will prepare the following NYC forms, at the time of arrest, which will be stapled to the original copy of the appearance ticket and forwarded to the New York City precinct of arrest without any undue delay.

- a. Arraignment Card (301.1) one for each defendant
- b. Bench Warrant Report (Form 320) one for each defendant.
- c. Pre-arraignment/Arrest Report (Misc. 333), two copies on each case (See paragraph 10, for preparation instructions)
- d. Non-Addict Report (CR-IN) one for each defendant (see paragraph 11 regarding Methadone patients)
- e. Arrest Disposition Report (PD 244-152) - (enter property voucher number if property is held as evidence) Forward original copy (see paragraph 14, for disposition of this form.

- f. Desk Appearance Ticket-forward original copy.
- g. In fingerprintable cases, attach Fingerprint Forms, Modus Operandi Pedigree Report, and JC 501.
- h. All pertaining Port Authority Police forms will be prepared by the arresting officer and forwarded to his commanding officer.

PRE-ARRAIGNMENT/ARRAIGNMENT REPORT (Misc. 333)

When an assigned officer in a civilian complainant desk appearance ticket case, is excused from appearing in court on the return date, such assigned officer, will prepare two (2) copies of the-pre-arraignment/ arraignment report (Misc. 333), more commonly referred to as the ARREST DATA REPORT. As the assigned officer will not be present in court to relate circumstances of the arrest to the assistant district attorney in the complaint room, it is essential that this form be properly and completely prepared. All required information will be filled in on the face of the form, including the defendant's telephone number and the home and business telephone numbers of the civilian complainant, and witnesses, if any.

1. Under the caption "Adjournment Dates," the assigned officer will list three dates on which he will be available if the court determines that his appearance is essential. In selecting available dates, the assigned officer should be guided by the following:
 - a. the first available date should be between one and two weeks after the return date;
 - b. the second available date should be between three and four weeks after the return date;
 - c. the third available date should be between five and six weeks after the return date.
2. As the court will utilize these dates in selecting adjournment dates for cases not adjudicated at arraignment, in which the assigned officer is required to appear on the adjourned date, it is essential that the officer select available dates on which he is scheduled to perform day duty. (Disregard suggested dates under items a, b, and c, of preprinted Misc. 333, as this applied to pre-arraignment processing).
3. On the reverse side of this form, after the appropriate captions pertaining to who witnessed or made the arrest and a description of the property entered, if any, the information required under NARRATIVE OF DETAILS will be filled in by the assigned officer. Specifically, the assigned officer should indicate how he became aware of the offense, (responded to a radio call, called by complainant, etc.; how evidence found, in whose possession, where and by whom; describe injuries to complainant, if any; give any statements or admissions made by defendant regardless of whether or not you believe them to be legally admissible). This information will be of additional assistance to the assistant district attorney prosecuting the case, and will be a determining factor on whether or not the assigned officer will be excused from subsequent court appearances. On the bottom of the form, the assigned officer will request excusal from subsequent court appearances and sign his name. The Tour Commander at facility of arrest will verify the completion of this form by signing his name and rank, directly beneath the assigned officer's signature.

METHADONE PATIENTS (Prepare Form NACC-CR-1)

If the defendant is a narcotic addict undergoing treatment at an authorized treatment center, the procedure outlined in the Criminal Procedure Law (N.Y.) will be complied with. If a desk appearance ticket is issued to such defendant in a civilian originated - desk appearance ticket case, the assigned officer will prepare NACC-CR-1 form, instead of the non-addict CR-IN, and forward it with the other forms indicated above.

STORE DETECTIVE - DESK APPEARANCE TICKET CASES

The above procedure will not apply to arrests effected by store detectives. Store detectives who are special patrolmen are authorized to issue desk appearance tickets and make all necessary court appearances in connection with the case. Store detectives who are not special patrolmen require that a police officer be assigned for the purpose of issuing the desk appearance ticket only. Such assigned police officer is not required to appear in court on the return date. Forms required to be prepared on store detective cases are prepared by the store detective when he appears in court.

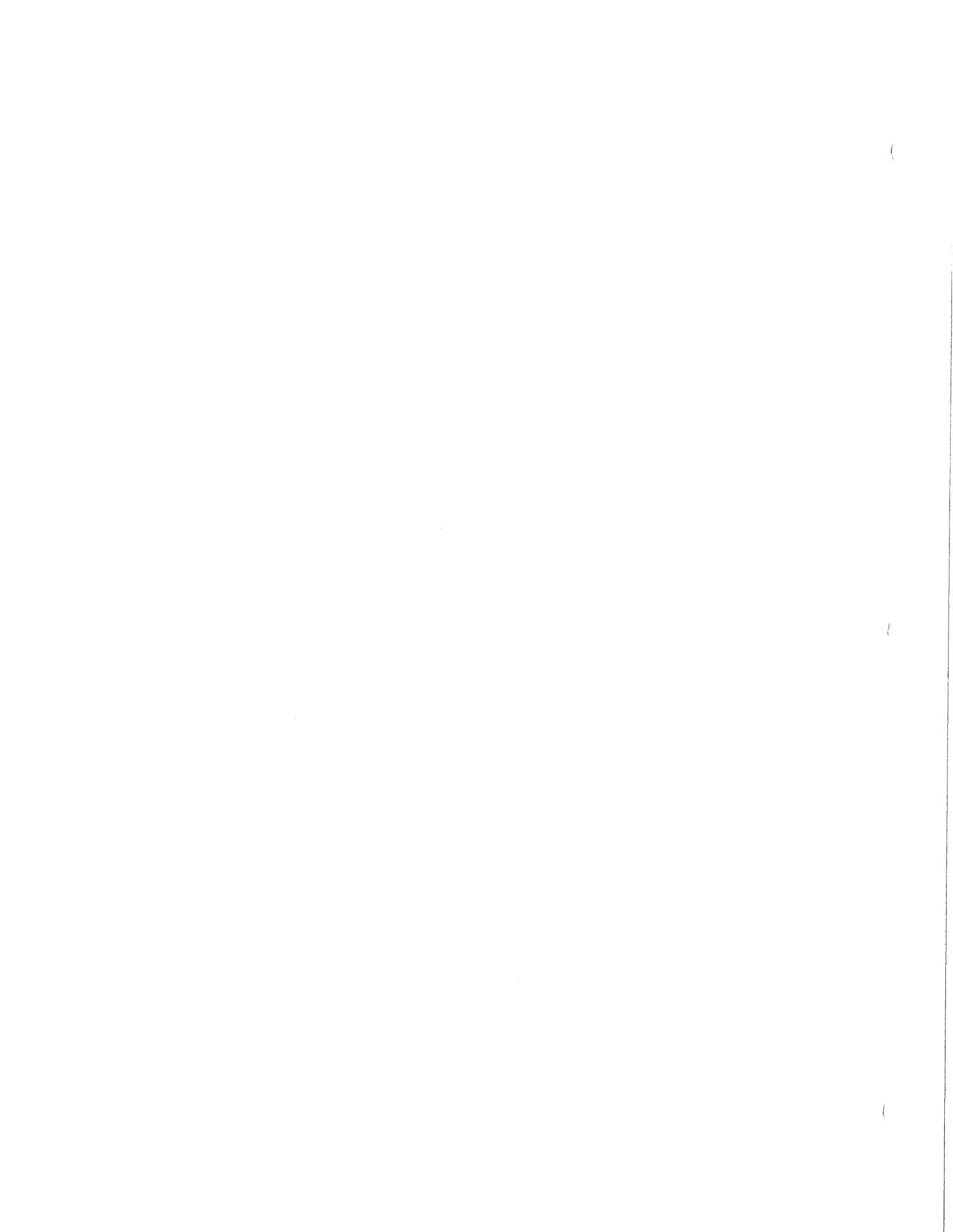
PRESENTING EVIDENCE PROPERTY IN COURT ON CIVILIAN COMPLAINANT - DESK APPEARANCE TICKET CASES

Whenever a civilian complainant - desk appearance ticket case, involves property, which is required to be held as evidence, such property will be vouchred in the usual manner and forwarded to the borough property clerk as expeditiously as possible. If the evidence is subsequently required in court, the court superior officer will assign a member of his staff to secure the property from the property clerk on the date that it is required in court, unless the assigned officer is subpoenaed to appear, in which use the assigned officer will secure the property from the property clerk and present it in court.

- a. In the case where a police officer assigned to the court is required to obtain the property for presentation in court, the court superior officer will prepare a request on official letterhead (PD-158-151), addressed to the Property Clerk, identifying the property requested, the precinct voucher number, obtained from the arrest disposition report, and the police officer designated to obtain such property. The designated police officer will present this request to the property clerk and deliver the property to court as required.
- b. When the property is no longer required as evidence, the designated police officer will instruct the claimant to obtain a district attorney's release of the property. The designated patrolman will then accompany the claimant to the property clerk's office for return of the property to the claimant. If the property is still required to be maintained as evidence, the designated patrolman will return it to the property clerk and obtain a receipt for same.

**OBTAINING COURT DISPOSITIONS ON DESK APPEARANCE TICKET CASES
WHERE ASSIGNED OFFICERS ARE NOT REQUIRED TO APPEAR IN COURT.**

Since police officers assigned to civilian complainant - desk appearance ticket cases, will not be present in court to obtain final dispositions, the original copy of the arrest disposition report (PD 244-152) will be forwarded with the other forms indicated in paragraph 9, of this instruction. In cases involving property being held as evidence, the precinct voucher number must be entered on the form. The police superior officer in the court will cause this form to be docketed at the same time as the related complaint is being docketed. If the case is adjudicated at arraignment, the court superior officer will cause the disposition to be entered on the arrest disposition report, sign it, and forward it to N.Y.C.P.D. Central Records. If the case is not disposed of at arraignment, he will hold the docketed arrest disposition report in the police room until a final disposition is obtained, at which time he will enter the final disposition, sign it, and forward it to N.Y.C.P.D. Central Records.



To: All Members of the Force



INTERIM ORDER

One of a police department's responsibilities is the enforcement of laws, which invariably lead to the arrest of individuals. Often, these individuals default in their responsibilities to the Criminal Justice System and an order for his/her arrest must be issued, which is known as a warrant. The execution of a warrant is the vehicle by which an individual is brought to answer for his/her transgression. However, in order to safeguard against any, criminal, and/or civil liabilities, procedures must be put in place to ensure a smooth and trouble-free warrant execution. Hence, police departments promulgate policies to guide its members through this process. The following is department's policy on the maintenance and execution of warrants found in the New Jersey Municipal Court System, which are also known as ATS and ACS.

I. PURPOSE:

The purpose of this Interim Order is to establish a standardized method of entering and monitoring warrants entered into the New Jersey Municipal court System Data base.

II. POLICY:

Effective immediately, the following guidelines shall be followed and adhered to as they relate to Automated Traffic and Automated Complaint System (ATS/ACS) Warrants, which have been entered into the Administrative Office of Courts (AOC) Database by a municipal court as a result of a defendant defaulting with a court mandate.

1. Entry of ATS and ACS into the New Jersey Municipal court System warrants will remain the responsibility of the local municipal court.
2. Whenever a criminal warrant (ACS is issued by the municipal court for entry into the New Jersey Municipal Court Database, all information shall be obtained and furnished to the Telecommunications Unit in order that a New Jersey Wanted Person System (NJWPS) entry can be made. Under no circumstances shall Traffic Warrants be entered into the NJWPS.

To: All Members of the Force

3. Extradition limitations for all warrants entered into the NJWPS shall not exceed the Port Authority twenty-five (25) mile radius. In the event that a supervisor determines that a broader radius is necessary, he/she shall secure an authorization from the Zone Commander to obtain the expanded radius.
4. A Criminal Complaint Report or Follow-Up shall be forwarded to the Telecommunications Unit, via Fax, along with:
 - a. Wanted Person Entry Form.
 - b. Copy of the bench warrant, which must be signed by the court.
5. Prior to performing a NJWPS entry, the Telecommunications Personnel shall search the following files in order that all relevant information on the subject can be obtained:
 - a. A wanted person inquiry to ensure that a duplicate record does not exist.
 - b. Interstate Identification Index.
 - c. New Jersey Master Name Index.
 - d. Department of Motor Vehicle Data Base (both New Jersey and out-of-state).
 - e. New Jersey Municipal Court System: Automated Traffic System and Automated Complaint System (ATS/ACS).
6. Once all the information on the subject is known, the Telecommunications Unit shall make the entry, ensuring that all relevant information is entered in the NJWPS (i.e., all aliases, scars, marks & tattoos, additional social security numbers, DOBs, miscellaneous numbers, etc.) In addition, the extradition limitation shall be explicitly stated in the "Additional Comments" field (i.e., extradite from Hudson, Bergen and Union Counties only).
7. Upon apprehension of an ACS fugitive (criminal warrant) by another agency, the following steps shall be followed:
 - a. A Hit Confirmation reply message indicating the status of the warrant shall be transmitted immediately. This shall not take more than TEN (10) MINUTES.

Subject: Automated Traffic System/Complaint System Warrants

I.O. 1-00

Date: 03/20/00

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To: All Members of the Force

- b. The Telecommunications Unit shall contact the command handling the case in order that pickup arrangements can be made.

Note: In cases where the subject cannot be picked up immediately due to manpower constraints, the department that has made the apprehension shall be advised of same and a "HOLD" placed on the subject. Individuals wanted in connection to a traffic ticket warrant shall be directed to report the municipal court where the traffic ticket must be satisfied. Under no circumstances are these individuals to be picked up by members of this department.

- c. Once pickup arrangements are made, the agency holding the subject shall be notified of that fact.
- d. Once a locate is placed by the apprehending agency, the record shall be cleared by the Telecommunications Unit.

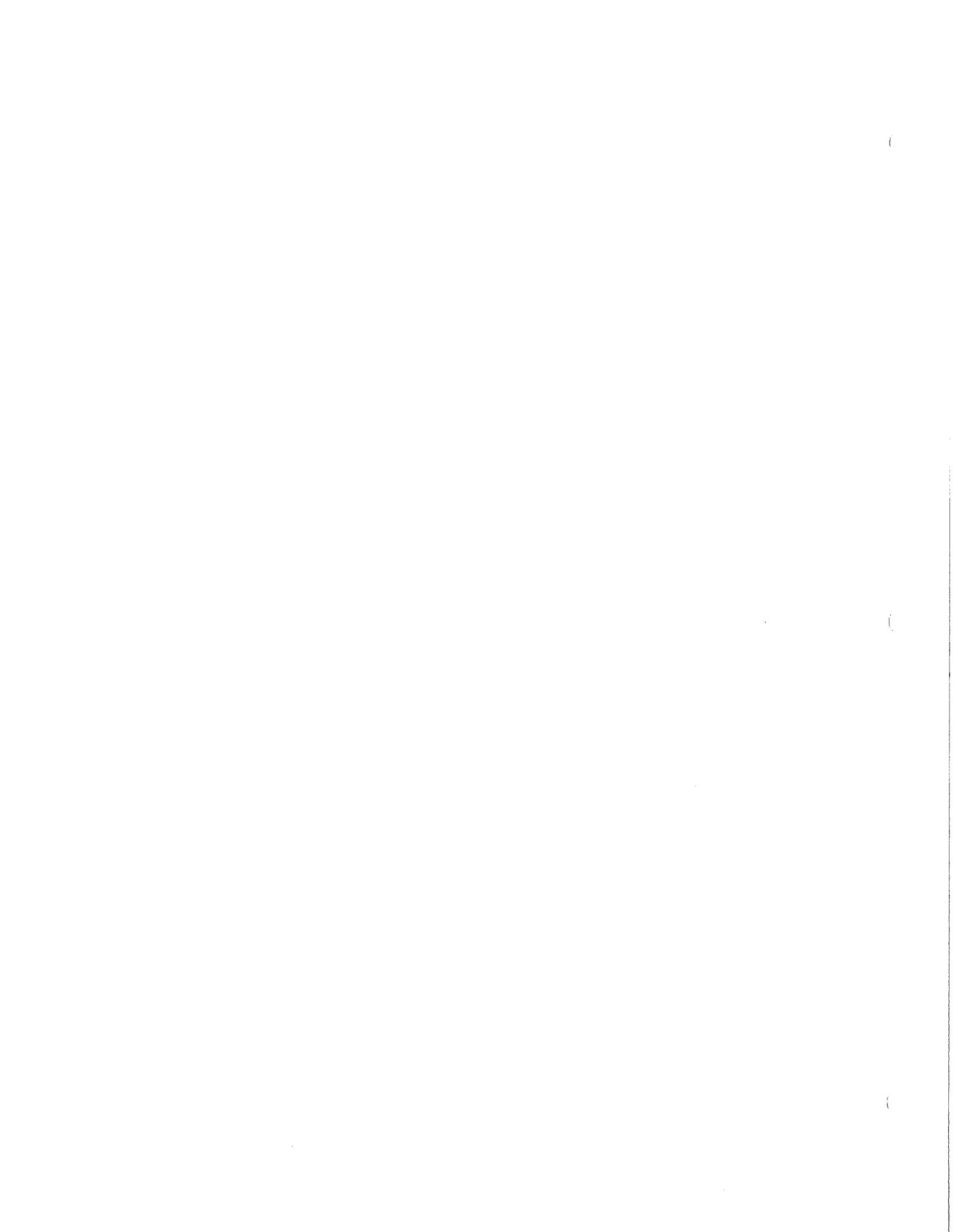
All members of the force are reminded that timely entries are of the essence and should be foremost as it pertains to all entries. This Interim Order shall remain in effect until such time that Police Operations Instruction (POI) is published concerning ATS/ACS warrants.



By order of:

APPROVED BY THE OFFICE
for OF SUPT. OF POLICE

Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



To: All Members of the Force



INTERIM ORDER

This Department has had a long-standing Criminal History policy regarding the request and use thereof. In order to establish and maintain a more comprehensive policy the foregoing shall be adhered to and followed, effective immediately.

I. PURPOSE:

The purpose of this Interim Order is to establish a standardized method of requesting, disseminating and destroying Computerized Criminal History (CCH) printouts.

II. POLICY

It shall be the policy of this Department that Computerized Criminal History (CCH) information can be requested by any member of this Department for Criminal Justice purposes only. This shall include investigations for Criminal Justice Employment. It shall also be the policy of this Department that New Jersey Criminal Justice Information System (NJ CJIS) CCH requested for the purposes of lodging a prisoner, or processing a prisoner through a judicial possessing center be obtained and disseminated as prescribed by guidelines set forth by the New Jersey State Police. Moreover, it shall be the policy of this Department that all members of the force adhere to all National, New York/New Jersey Laws and Regulations governing computerized criminal history information. Finally, it shall be the policy of this Department that the Computerized Criminal History printout be destroyed immediately after it has met its intended purpose.

III. DEFINITIONS:

NCIC: The National Crime Information Center is the computer system and facilities maintained by the Federal Bureau of Investigation (FBI), managers of the system. Located in Washington, D.C., NCIC is the repository for all crime data including, but not limited to, criminal history information, and wanted/missing person information.

- NYSPIN:** The New York Statewide Police Information (NYSPIN) is the computerized system administered by the Division of State Police as authorized by the New York State Executive Law, Sections 217, 218, 219, and 220. The system includes the equipment, facilities, procedures, agreements and organizations thereof for the collection, processing, preservation, or dissemination of criminal justice information
- NJCJIS:** New Jersey Criminal Justice Information System (NJCJIS), with its Headquarters in Trenton, New Jersey is the New Jersey State Police computer system. Managers of the system are the New Jersey State Police.
- DCJS:** The New York State Division of Criminal Justice Services, with its Headquarters located in Albany, New York, is responsible for the collection, processing, preservation, and dissemination of computerized criminal history record information and other information as required by the New York State Executive Law.
- NJSBI:** New Jersey State Bureau of Identification, with its Headquarters in Trenton, New Jersey, is the counterpart agency to DCJS in the state of New Jersey. As with DCJS, it is the repository for all criminal history record information. Unlike DCJS it is not a self-governing agency as it is governed and operated by New Jersey State Police.
- CCH:** Computerized Criminal History. This document contains criminal history data on the subject inquired about, including, but not limited to aliases, marks and tattoos.
- CHRI** Criminal History Record Information is that information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detention, indictments, information, or other formal criminal charges; and any dispositions arising therefrom such as sentencing, correctional supervision, and release. The term does not include identification information, and thus does not indicate involvement of the individual in the criminal justice system.

Requestor: Member of the force requesting a Computerized Criminal History.

Receiving Agent: County Sheriff, Prosecutor or representative thereof who receives a CCH printout from this Department.

Comments: Portion of the computer screen where pertinent information about the purposes of the CCH are logged.

Computer Material: Computer Material is defined in New York State PENAL LAW 156.00, sub.5.

CFR Title 28: The authority for the Federal Government to regulate Computerized Criminal History Record information comes from Title 28 United States Code (USC), Section 534. The procedures, definitions, and punitive provisions are found in Title 28, Code of Federal Regulations (CFR), Part 20, Subparts A, B and C.

Administration Criminal Justice: The administration of criminal justice (Title 28 CFR 20.3 (d)) means the performance of any of the following activities: detection, apprehension, detention, pretrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of CHRI.

Criminal Justice Purpose: When obtaining CHRI, criminal justice purpose means accessing information available through NYSPIN or NJCJIS as part of an official duty associated with the administration of criminal justice (Title 28 CFR 20.3 (d)). When accessing criminal justice information other than CHRI, criminal justice purpose means accessing information available through NYSPIN or NJCJIS for an official function, including training, normally performed by criminal justice employees.

Unauthorized
Access of NYSPIN

Unauthorized access of NYSPIN means accessing of NYSPIN by a person or agency not entitled to obtain, secure, or use the criminal justice information improperly obtained therefrom. The New York State Penal Law, Section 156.00, Subsection 6 further defines unauthorized access to computer services, and sets criminal penalties therefore.

Unauthorized
Access of NJCJIS:

Unauthorized access of NJCJIS means accessing of NJCJIS by a person or agency not entitled to obtain, secure, or use the criminal justice information improperly obtained therefrom. Unauthorized access is defined by New Jersey Criminal Justice Code Title 2C: 20-31.

Member:

A member is a person who is regularly employed by an agency assigned an agency identifier (ORI) and who is sworn to or designated to carry out the administration of criminal justice as defined in the agency's rules and regulations.

Criminal Justice
Agency:

As defined by "(Title 28, Code of Federal Regulations, Part 20, Subpart A-section 20.3), a Criminal Justice Agency is one which is a governmental agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice (allocates a substantial part has been interpreted to mean more than 50%). The administration of criminal justice means performance of any of the following activities: detection, apprehension, detention, pretrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders.

NLETS:

National Law Enforcement Telecommunications System Inc. is the computer system located in Phoenix, Arizona that is used by all states for the interstate exchange of criminal justice information. Its Headquarters located in Phoenix, Arizona, is the system that facilitates interstate communications between criminal justice agencies throughout the continental United States, Hawaii, Puerto Rico, US Virgin Islands, District of Columbia and Canada.

Criminal Justice

Criminal Justice Information means all computer information or

To: All Members of the Force

Information: computer material processed by or through NYSPIN or NJCJIS regardless of the source of the information or material, including material and information from noncriminal justice computer systems such as, but not limited to, the New York State Department of Motor Vehicles and the Truck Mileage Tax data base file and New Jersey Department of Motor Vehicles.

IV. LAWS:

Members of the Department shall become familiar with all National/State laws and regulations relevant to Criminal History Record Information delineated in this Interim Order and be guided accordingly.

A. New York State Penal Law 156.00, sub5 (Computer Material): As defined "is property and means any computer data or computer program which:

- a. contains records of the medical treatment of an identified or readily identifiable individual or individuals. This term shall not apply to the gaining access to, or duplication solely of, the medical history or medical treatment records of a person by that persons, or by another, specifically authorized by the person whose records are gained access to or duplicated; or
- b. Contains records maintained by the state or any political subdivision thereof or any governmental instrumentality within the state, which contains any information concerning a person, as defined in subdivision seven of section 10.00 of this chapter, which because of name, number, symbol, mark or otherwise prohibited by law from being disclosed. This term shall not apply to the gaining access to, or duplication solely of, records of a person by that person or by another specifically authorized by the person, whose records are gained access to or duplicated; or
- c. is not and is not intended to be available to anyone other than the person or persons rightfully in possession thereof or selected persons having access thereto with his or their consent and which accords or may accord such rightful possessors an advantage over competitors or other persons who do not have knowledge or the benefit thereof.

B. New York State Penal Law, Section 156.00, Subsection 6 (Unauthorized Computer Use): "Uses a computer or computer service without authorization" means the use of a computer or computer service without

someone licensed or privileged by the owner or less or after notice to that effect to the use of the computer or computer service has been given by:

- a. giving actual notice in writing or orally to the user; or
 - b. prominently posting written notice adjacent to the computer being utilized by the user; or
 - c. a notice that is displayed on, printed out on, or announced by the computer being utilized by the user. Proof that the computer is programmed to automatically display, print or announce such notice or a notice prohibiting copying, reproduction or duplication, shall be presumptive evidence that such notice was displayed, printed or announced.
- C. New Jersey Criminal Justice Code Title 2c: 20, sub g (Computer Data): "computer system" means a set of interconnected computer equipment intended to operate as a cohesive system.
- D. New Jersey Criminal Justice Code Title 2c: 20, sub h (Computer Data): Information facts, concepts, or instructions prepared for use in a computer system, or computer network.
- E. New Jersey Criminal Justice Code Title 2c: 20-23I (Data Base): Data is the a collection of data.
- F. New Jersey Criminal Justice Code Title 2c: 20-31 (Disclosing Data, etc.): A person is guilty of a crime of the third degree if he purposely and without authorization accesses a computer system or any of its parts and directly or indirectly discloses or causes to be disclosed data, data base, computer software or computer programs where the accessing and disclosing cannot be assessed a monetary value or loss.
- G. Title 28 Part 20, Subpart A, B, & C Code Federal of Regulations (Criminal Justice Information Systems): In Part this Regulation states that "criminal history information contained in any Department of Criminal Justice criminal history information system will be made available: to criminal justice agencies for criminal justice purposes..." Any agency or individual subpart B of these regulations shall be subject to a fine not to exceed \$10,000." (Refer to APPENDIX A)

V. PROCEDURE:

Computerized Criminal Histories shall be requested by members of the force for Criminal Justice purposes only and under the following circumstances:

investigations and arrests. Requests for a Criminal History Record Information (Rap Sheet), in connection with an investigation, can be made by members of the Criminal Investigations Bureau. Requests made in connection with an arrest shall be approved by the Duty Tour Commander. These include Desk Appearance Tickets (DAT) in New York and CDR-1 & 2 in New Jersey.

A. Command Level Responsibilities

1. Criminal History requests shall be made to the Telecommunications Unit via fax (a telephone call shall be placed to confirm the receipt at CPD). The fax sheet shall contain all the pedigree on the subject of the computerized criminal history including, but not limited to, name, aliases, DOB, social security number, marks/tattoos, etc. Detectives requiring a criminal history as part of an investigation will follow the same procedure.
2. In the event a defendant cannot post bail and is to be lodged in a county jail and said county jail requires a Computerize Criminal History for lodging purposes, the arresting officer will notify the Telecommunications Unit and request a second CCH.
3. The Tour Commander will prepare and sign a Computerized Criminal History printout receipt and fax same to the Telecommunications Unit (CPD) acknowledging receipt. Tour Commander will also log all pertinent information including, but not limited to, subject's name, DOB, and case number.
4. Tour Commander will prepare a receipt for an outside agency receiving a CCH. Once the CCH is released to the outside agency, and has acknowledged receipt of the CCH by signing the receipt, the Tour Commander shall fax same to the Telecommunications Unit. (Refer to Appendix B).
5. Member of force requesting the CCH will shred same once the intended use has been met.

NOTE: Computerized Criminal History shall only be used as a lead since it cannot be confirmed that it relates to the person who is the subject of an inquiry. For exact matches, fingerprints must be submitted for proper identification of the person in question.

B. Telecommunications Unit responsibilities:

- a. Upon request, the Telecommunications Unit (CPD) will generate a CCH for the individual named in the request. The computer screen format shall contain, in addition to the subject's information, the

requestor's name (Last, First), and Comments (i.e., PATH arrest case T9806512 arrest Num. 02550-00).

- b. The Telecommunications Unit (CPD) will fax a Computerized Criminal History printout to any New Jersey Command sanctioned by the New Jersey State Police to receive histories via a fax. New York Commands may receive CCH if the site has been deemed a secure site by the Terminal Agency Coordinator.
- c. The recorded ORI number for the County Sheriff/Prosecutor (Receiving Agency) receiving the CCH will be recorded in the CCH screen section captioned "SECONDARY ORI, followed by the agency name in the screen section captioned "RECEIVING AGENT NAME". This applies both to the NJCJIS and NYSPIN.
- d. Telecommunications Officer will record the second CCH in the Criminal History Log with all pertinent information (i.e., date, time of request, agency and agency representative taking custody of CCH).
- e. New Jersey Only: In the event an outside criminal justice agency requests assistance in obtaining a CCH, said agency's request shall be honored only if it is an emergency and their terminal is out of service and after the duty Central Police Desk Sergeant has been briefed and his/her approval been secured. In addition, all the particulars regarding the requestor shall be obtained and verified. This is to include, but not limited to:
 1. ORI
 2. Agency Name
 3. Telephone number
 4. Requestor's name and rank

NOTE: Once the Computerized Criminal History has met its intended use, said history shall be shredded immediately. At no time, shall CCH's be placed in arrest jackets or with any other arrest paperwork filed at the command. In the event it becomes necessary to review a particular CCH again, a "fresh" CCH shall be made in order to obtain the most recent information (CCH information is updated periodically).

II. NEW YORK CITY BUREAU OF CRIMINAL INVESTIGATION

To: All Members of the Force

Requests for an inquiry with the New York City Bureau of Criminal Investigation can be made by authorized members via the Telecommunications Unit. Requestors shall provide all subject information, a case number and reason for the inquiry.

III. RECORDS MANAGEMENT AND INTEGRITY

Records management is paramount in maintaining the integrity of the system. Therefore, the steps outlined herein shall be adhered to in order to achieve this goal. Any deviations or infractions shall be dealt with as delineated herein.

- A. Every command shall maintain a log book of all Criminal History requests (the Telecommunication Unit currently maintains one). The log book shall list the following information: date, time, subject of investigation information (name, DOB, sex, race, social security number), requestor's rank, name, shield number, employee number, case number and reason for inquiry.
- B. Terminal Agency Coordinator: The Terminal Agency Coordinator shall compile a monthly list of all criminal histories requested by members of the force and submit same to the respective Commanding Officers for their review.
- C. Commanding Officer: Commanding Officers shall ensure that the criminal histories requested by members of their command were requested in compliance with all policies. This is to be accomplished by conducting periodic audits based on the reports produced by the Terminal Agency Coordinator. In the event that any discrepancies are detected, the Commanding Officer shall immediately notify the Chief of Professional Standards via memorandum.
- D. Police Professional Standards Section Chief: Upon receiving a notification of non-compliance with the Department's CCH policy, the Chief, Professional Standards Section shall review the matter and immediately refer the case to the Internal Affairs Bureau for investigation.
- E. Internal Affairs Bureau: The Internal Affairs Bureau shall conduct a timely and thorough investigation and forward the findings to the Chief, Professional Standards Section.

All members are to familiarize themselves with the procedures delineated herein, all the laws, regulations and definitions as they pertain to Computerized Criminal Histories.

Subject: Criminal History Request

I.O. 5-00

Date: 03/22/00

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To: All Members of the Force

This Interim Order shall remain in effect until such time that a Police Operations Instruction (POI) is published concerning Criminal History Request Information and dissemination thereof.



By order of:

APPROVED BY THE OFFICE
OF SUPT. OF POLICE



Fred V. Morrone
Director, Public Safety Department
Superintendent of Police

APPENDIX "A"

§20.3

Department of Justice
Specific information identified in §19.5
concerning implementation and participation
in the program.

PART 20 - CRIMINAL JUSTICE INFORMATION SYSTEMS

Subpart A - General Provisions

Sec.

20.1 Purpose.

20.2 Authority. 20.3 Definitions.

Subpart B - State and Local Criminal History Record Information Systems

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Criminal History Record Information
Plan.

20.22 Certification of compliance.

20.23 Documentation: Approval by OJARS.

20.24 State laws on privacy and security.

20.25 Penalties.

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20.35 National Crime Information Center
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20.36 Participation In the Computerized
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20.37 Responsibility for accuracy,
completeness, currency.

20.38 Sanction for noncompliance.

APPENDIX TO PART 20 – COMMENTARY ON SELECTED SECTIONS OF THE REGULATIONS ON CRIMINAL HISTORY RECORD INFORMATION SYSTEMS

AUTHORITY: 28 U.S.C. 534; Public Law
92544, 96 Stat. 1115; 42 U.S.C. §711 at
seq; Public Law 99-169, 99 Stat. 1002,

1006-1011, as amended by Public Law 99-
569 100 Stat § 190, § 196

SOURCE: Order No. 801-75, 40 FR 22114,
May 20, 1975 unless otherwise noted.

Subpart A—General Provisions

SOURCE: 41 FR 11714. Mar. 19, 1976,
unless otherwise noted.

120.1 Purpose

It is the purpose of these regulations to
assure that criminal history record
information wherever it appears is collected,
stored, and disseminated in a manner to
insure the completeness, integrity, accuracy
and security of such information and to
protect individual privacy.

20.2 Authority.

These regulations are issued pursuant to
sections 501 and 524(b) of the Omnibus
Crime Control and Safe Streets Act of 1968,
as amended by the Crime Control Act of
1973, Public Law 93-83, 87 Stat. 197, 42
U.S.C. 3701, et seq. (Act), 28 U.S.C. 534,
and Public Law 92- 544, 86 Stat. 1115.

20.3 Definitions.

As used in these regulations:

(a). Criminal history record information
system means a system including the
equipment, facilities, procedures,
agreements, and organizations thereof, for
the collection, processing, preservation or
dissemination of criminal history record
information.

(b). Criminal history record information
means information collected by criminal
justice agencies on individuals consisting of
identifiable descriptions and notations of
arrests, detentions, indictments,
informations, or other formal criminal
charges, and any disposition arising
therefrom, sentencing, correctional
supervision, and release. The term does not
include identification information such as
fingerprint records to the extent that such
information does not indicate involvement of
the individual in the criminal justice system.
State and Federal Inspector General Offices
are included.

(c). Criminal justice agency means:

1. Courts;
2. A government agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice.

(d). The administration of criminal justice means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of criminal history record information. State and Federal Inspector General Offices are included.

(e). Disposition means information disclosing that criminal proceedings have been concluded, including information disclosing that the police have elected not to refer a matter to a prosecutor or that a prosecutor has elected not to commence criminal proceedings and also disclosing the nature of the termination in the proceedings; or information disclosing that proceedings have been indefinitely postponed and also disclosing the reason for such postponement. Dispositions shall include, but not be limited to, acquittal, acquittal by reason of insanity, acquittal by reason of mental incompetence, case continued without finding, charge dismissed, charge dismissed due to insanity, charge dismissed due to mental incompetency, charge still pending due to insanity, charge still pending due to mental incompetence, guilty plea, nolle prosequi, no paper, nolo contendere plea, convicted, youthful offender determination, deceased, deferred disposition, dismissed—civil action, found insane found mentally incompetent, pardoned, probation before conviction, sentence commuted, adjudication withheld, mistrial—defendant discharged, executive clemency, placed on probation, paroled, or released from correctional supervision.

(f). Statute means an Act of Congress or State legislature of a provision of the

Constitution of the United States or of a State.

(g). State means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico and any territory or possession of the United States.

(h). An executive order means an order of the President of the United States or the Chief Executive of a State which has the force of law and which is published in a manner permitting regular public access thereto.

(i). Act means the Omnibus Crime Control and Safe Streets Act, 42 U.S.C. 3701, et seq., as amended.

(j). Department of Justice criminal history record information system means the Identification Division and the Computerized Criminal History File systems operated by the Federal Bureau of Investigation.

(k). Nonconviction data means arrest information without disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; or information disclosing that the police have elected not to refer a matter to a prosecutor, or that a prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed, as well as all acquittals and all dismissals.

(l). Direct access means having the authority to access the criminal history record database, whether by manual or automated methods.

[41 FR 11714, Mar. 19, 1976, as amended at 45 FR 40114, June 13, 1980; Order No. 960-81. 46 FR 52357, Oct. 27, 1981]

Subpart B—State and Local Criminal History Record Information Systems

SOURCE: 41 FR 11715, Mar. 1.9, 1976, unless otherwise noted.

§ 20.20 Applicability

(a). The regulations in this subpart apply to all State and local agencies and individuals collecting, storing, or disseminating criminal history record information processed by manual or automated operations where such collection, storage, or dissemination has been funded in whole or in part with funds made available by the Law Enforcement

Assistance Administration subsequent to July 1, 1973, pursuant to title I of the Act Use of information obtained from the FBI Identification Division or the FBI/NCIC system shall also be subject to limitations contained in subpart C.

(b). The regulations in this subpart shall not apply to criminal history record information contained in:

- (1). Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;
- (2). Original records of entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis;
- (3). Court records of public judicial proceedings;
- (4). Published court or administrative opinions or public judicial, administrative or legislative proceedings;
- (5). Records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of regulating the issuance, suspension revocation, or renewal of driver's, pilot's or other operators' licenses;
- (6). Announcements of executive clemency.

(c). Nothing in these regulations prevents a criminal justice agency from disclosing to the public criminal history record information related to the offense for which an individual is currently within the criminal justice system. Nor is a criminal justice agency prohibited from confirming prior criminal history record information to members of the news media or any other person upon specific inquiry as to whether a named individual was arrested, detained, indicted, or whether an information or other formal charge was filed, on a specified date, if the arrest record information or criminal record information disclosed is based on data excluded by paragraph (b) of this section. The regulations do not prohibit the dissemination of criminal history record information for purposes of international travel, such as issuing visas and granting of citizenship

§ 20.21 Preparation and submission of a Criminal History Record Information Plan.

A plan shall be submitted to OJARS by each State on March 16, 1976, to set forth all operational procedures, except those portions relating to dissemination and security. A supplemental plan covering these portions shall be submitted no later than 90 days after promulgation of these amended regulations. The plan shall set forth operational procedures to—

(a). Completeness and accuracy. Insure that criminal history record information is complete and accurate.

(1). Complete records should be maintained at a central State repository. To be complete, a record maintained at a central State repository which contains information that an individual has been arrested, and which is available for dissemination, must contain information of any dispositions occurring within the State within 90 days after the disposition has occurred. The above shall apply to all arrests occurring subsequent to the effective date of these regulations. Procedures shall be established for criminal justice agencies to query the central repository prior to dissemination of any criminal history record information unless it can be assured that the most up-to-date disposition data is being used. Inquiries of a central State repository shall be made prior to any dissemination except in those cases where time is of the essence and the repository is technically incapable of responding within the necessary time period.

(2). To be accurate means that no record containing criminal history record information shall contain erroneous information. To accomplish this end criminal justice agencies shall institute a process of data collection, entry, storage, and systematic audit that will minimize the possibility of recording and storing inaccurate information and upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information.

(b). Limitations on dissemination Insure that dissemination of nonconviction data has been limited, whether directly or through any intermediary only to:

§ 20.21

28 CFR Ch. 1 (7-1-98 Edition)

- (1). Criminal justice agencies, for purposes of the administration of criminal Justice and criminal justice agency employment;
- (2). Individuals and agencies for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate State or local officials or agencies;
- (3). Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, insure the security and confidentiality of the data consistent with these regulations, and provide sanctions for violation thereof;
- (4). Individuals and agencies for the express purpose of research, evaluative or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, insure the confidentiality and security of the data consistent with these regulations and with section 524(a) of the Act and any regulations implementing section 524(a), and provide sanctions for the violation thereof. These dissemination limitations do not apply to conviction data.

(c). General policies on use and dissemination.

- (1). Use of criminal history record information disseminated to noncriminal justice agencies shall be limited to the purpose for which it was given.
- (2). No agency or individual shall confirm the existence or nonexistence of criminal history record information to any person or agency that would not be eligible to receive the information itself.
- (3). Subsection (b) does not mandate dissemination of criminal history record information to any agency or individual. States and local governments will determine the purposes for which dissemination of criminal history record information is authorized by State law, executive order, local ordinance, court rule, decision or order.

(d). Juvenile records. Insure that dissemination of records concerning proceedings relating to the adjudication of a juvenile as delinquent or in need or supervision (or the equivalent) to noncriminal justice agencies is prohibited unless a statute, court order, rule or court decision specifically authorizes dissemination of juvenile records, except to the same extent as criminal history records may be disseminated as provided in paragraph (b) (3) and (4) of this section.

(e). Audit. Insure that annual audits of a representative sample of State and local criminal justice agencies chosen on a random basis shall be conducted by the State to verify adherence to these regulations and that appropriate records shall be retained to facilitate such audits. Such records shall include, but are not limited to, the names of all persons or agencies to whom information is disseminated and the date upon which such information is disseminated. The reporting of a criminal justice transaction to a State, local or Federal repository is not a dissemination of information.

(f). (U Security. Wherever criminal history record information is collected, stored, or disseminated, each State shall insure that the following requirements are satisfied by security standards established by State legislation, or in the absence of such legislation, by regulations approved or issued by the Governor of the State.

- (1). Where computerized data processing is employed, effective and technologically advanced software and hardware designs are instituted to prevent unauthorized access to such information.
- (2). Access to criminal history record information system facilities, systems operating environments, data file contents whether while in use or when stored in a media library, and system documentation is restricted to authorized organizations and personnel.
- (3). (i) Computer operations, whether dedicated or shared, which support criminal justice information systems, operate in accordance with procedures developed or approved by the participating criminal justice agencies that assure that:

- (a). Criminal history record information is stored by the computer in such manner that it cannot be modified, destroyed, accessed, changed, purged or overlaid in any fashion by non-criminal justice terminals.
- (b). Operation programs are used that will prohibit inquiry, record updates or destruction of records, from any terminal other than criminal justice system terminals, which are so, designated.
- (c). The destruction of records is limited to designated terminals under the direct control of the criminal justice agency responsible for creating or storing the criminal history record information.
- (d). Operational programs are used to detect and store for the output of designated criminal justice agency employees all unauthorized attempts to penetrate any criminal history record information system, program or file. •
- (e). The programs specified in paragraphs (f)(3)(1) (b) and (d) of this section are known only to criminal justice agency employees responsible for criminal history record information system control or individuals and agencies pursuant to a specific agreement with the criminal justice agency to provide such programs and the program(s) are kept continuously under maximum security conditions.
- (f). Procedures are instituted to assure that an individual or agency authorized direct access is responsible for
 - (1) the physical security of criminal history record information under its control or in its custody and
 - (2) the protection of such information from unauthorized access, disclosure or dissemination.
- (g). Procedures are instituted to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.
 - (ii). A criminal justice agency shall have the right to audit, monitor and inspect procedures established above.
- (4). The criminal justice agency will:
 - (i). Screen and have the right to reject for employment, based on good cause, all personnel to be authorized to have direct

- access to criminal history record information.
- (ii). Have the right to initiate or cause to be initiated administrative action leading to the transfer or removal of personnel authorized to have direct access to such information where such personnel violate the provisions of these regulations or other security requirements established for the collection, storage, or dissemination of criminal history record information.
- (iii). Institute procedures, where computer processing is not utilized to as sure that an individual or agency authorized direct access is responsible for
- (a). The physical security of criminal history record information under its control or in its custody and
- (b). The protection of each information from unauthorized access disclosure, or dissemination.
 - (iv). Institute procedures, where computer processing is not utilized, to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.
 - (v). Provide that direct access to criminal history record information shall be available only to authorized officers or employees of a criminal justice agency and, as necessary, other authorized personnel essential to the proper operation of the criminal history record information system.
- (5). Each employee working with or having access to criminal history record information shall be made familiar with the substance and intent of these regulations.
- (g). Access and review. Insure the individual's right to access and review of criminal history information for purposes of accuracy and completeness by instituting procedures so that—
 - (1). Any individual shall, upon satisfactory verification of his identity, be entitled to review without undue burden to either the criminal justice agency or the individual, any criminal history record information maintained about the individual and obtain a copy thereof when necessary for the purpose of challenge or correction;

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- (2). Administrative review and necessary correction of any claim by the individual to whom the information relates that the information is inaccurate or incomplete is provided;
- (3). The State shall establish and implement procedures for administrative appeal where a criminal justice agency refuses to correct challenged information to the satisfaction of the individual to whom the information relates;
- (4). Upon request, an individual whose record has been corrected shall be given the names of all non-criminal justice agencies to whom the data has been given;
- (5). The correcting agency shall notify all criminal justice recipients of corrected information; and
- (6). The individual's right to access and review of criminal history record information shall not extend to data contained in intelligence, investigatory, or other related files and shall not be construed to include any other information than that defined by § 20.3(b).

(41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61595, Dec. 6, 1977)

§ 20.22 Certification of compliance

- (a). Each State to which these regulations are applicable shall with the submission of its plan provide a certification that to the maximum extent feasible action has been taken to comply with the procedures set forth in the plan. Maximum extent feasible, in this subsection, means actions which can be taken to comply with the procedures set forth in the plan that do not require additional legislative authority or involve unreasonable cost or do not exceed existing technical ability.
- (b). The certification shall include—
 - (1). An outline of the action, which has been instituted. At a minimum, the requirements of access and review under §20.21(g) must be completely operational;
 - (2). A description of any legislation or executive order, or attempts to obtain such authority that has been instituted to comply with these regulations;

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- (3). A description of the steps taken to overcome any fiscal, technical, and administrative barriers to the development of complete and accurate criminal history record information;
- (4). A description of existing system capability and steps being taken to upgrade such capability to meet the requirements of these regulations; and
- (5). A listing setting forth categories of non-criminal justice dissemination. See §20.21(b).

§ 20.23 Documentation: Approval by OJARS.

Within 90 days of the receipt of the plan, OJARS shall approve or disapprove the adequacy of the provisions of the plan and certification. Evaluation of the plan by OJARS will be based upon whether the procedures set forth will accomplish the required objectives. The evaluation of the certification(s) will be based upon whether a good faith effort has been shown to initiate and/or further compliance with the plan and regulations. All procedures in the approved plan must be tally operational and implemented by March 1, 1978. A final certification shall be submitted on March 1, 1978. Where a State finds it is unable to provide final certification that all required procedures as set forth in § 20.21 will be operational by March 1, 1978, a further extension of the deadline will be granted by OJARS upon a showing that the State has made a good faith effort to implement these regulations to the maximum extent feasible. Documentation justifying the request for the extension including a proposed timetable for full compliance must be submitted to OJARS by March 1, 1978. Where a State submits a request for an extension the implementation date will be extended an additional 90 days while OJARS reviews the documentation for approval or disapproval. To be approved, such revised schedule must be consistent with the timetable and procedures set out below:

- (a). July 31, 1978—Submission of certificate of compliance with:
 - (1). Individual access, challenge, and review requirements;

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- (2). Administrative security;
- (3). Physical security to the maximum extent feasible.

(b). Thirty days after the end of a State's next legislative session—Sub- mission to OJARS of a description of State policy on dissemination of criminal history record information.

(c). Six months after the end of a State's legislative session—Submission to OJARS of a brief and concise description of standards and operating procedures to be followed by all criminal justice agencies covered by OJARS regulations in complying with the State policy on dissemination.

(d). Eighteen months after the end of a State's legislative session—Submission to OJARS of a certificate attesting to the conduct of an audit of the State central repository and of a random number of other criminal justice agencies in compliance with OJARS regulations.

[41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61596, Dec. 6, 1977]

§ 20.24 State laws on privacy and security.

Where a State originating criminal history record information provides for sealing or purging thereof, nothing in these regulations shall be construed to prevent any other State receiving such information, upon notification, from complying with the originating State's sealing or purging requirements.

§ 20.25 Penalties

Any agency or individual violating subpart B of these regulations shall be subject to a fine not to exceed 510.000. In addition, OJARS may initiate fund cut-off procedures against recipients of OJARS assistance.

Subpart C--federal System and Interstate Exchange of Criminal History Record Information

§ 20.30 Applicability

The provisions of this subpart of the regulations apply to any Department of Justice criminal history record information system that serves criminal justice agencies in two or more states and to Federal, state and local criminal justice agencies to the extent that they utilize the services of Department of Justice criminal history record

information systems. These regulations are applicable to both manual and automated systems.

§ 20.31 Responsibilities

(a). The Federal Bureau of Investigation (FBI) shall operate the National Crime Information Center (NCIC), the computerized information system which includes telecommunications lines and any message switching facilities which are authorized by law or regulation to link local, state and Federal criminal justice agencies for the purpose of exchanging NCIC-related information. Such information includes information in the Computerized Criminal History (CCH) File, a cooperative Federal-State program for the interstate exchange of criminal history §20.32 record information. CCH shall provide a central repository and index of criminal history record information for the purpose of facilitating the interstate exchange of such information among criminal justice agencies.

(b). The FBI shall operate the Identification Division to perform identification and criminal history record information functions for Federal, state, and local criminal justice agencies, and for noncriminal justice agencies and other entities where authorized by Federal statute, state statute pursuant to Public Law 92-644 (86 Stat. 1115), Presidential executive order, or regulation of the Attorney General of the United States.

(c). The FBI Identification Division shall maintain the master fingerprint files on all offenders included in the NCIC/CCH File for the purposes of determining first offender status and to identify those offenders who are unknown in states where they become criminally active but known in other states through prior criminal history records.

§ 20.32 Includable offenses.

(a). Criminal history record information maintained in any Department of Justice criminal history record information system shall include serious and/or significant adult and juvenile offenses.

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(b). Excluded from such a system are arrests and court actions limited only to nonserious charges, e.g. drunkenness, vagrancy, disturbing the peace, curfew violation, loitering, false fire alarm, non-specific charges of suspicion or investigation, traffic violations (except data will be included on arrests for manslaughter, driving under the influence of drugs or liquor, and hit and run).

(c). The exclusions enumerated above shall not apply to Federal manual criminal history record information collected maintained and compiled by the FBI prior to the effective date of these Regulations.

[Order No. 601-75, 40 FR 22114, May 20, 1975, as amended by Order No. 1601-92, 57 FR 31318, July 15, 1992]

§ 20.33 Dissemination of criminal history record information.

(a). Criminal history record information contained in any Department of Justice criminal history record information system will be made available:

- (1). To criminal justice agencies for criminal justice purposes: and
- (2). To Federal agencies authorized to receive it pursuant to Federal statute or Executive order.
- (3). Pursuant to Public Law 92-544 (86 Stat. 1115) for use in connection with licensing or local/state employment or for other uses only if such dissemination is authorized by Federal or state statutes and approved by the Attorney General of the United States. Refer to §50.12 of this chapter for dissemination guidelines relating to requests processed under this paragraph.
- (4). For issuance of press releases and publicity designed to effect the apprehension of wanted persons in connection with serious or significant offenses.

(b). The exchange of criminal history record information authorized by paragraph (a) of this section is subject to cancellation if dissemination is made outside the receiving departments or related agencies.

(c). Nothing in these regulations prevents a criminal justice agency from disclosing to the public factual information concerning the

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status of an investigation, the apprehension, arrest release, or prosecution of an individual, the adjudication of charges, or the correctional status of an individual, which is reasonably contemporaneous with the event to which the information relates.

[Order No. 601-75, 40 FR 22114, May 20, 1975, as amended by Order No. 1432-90, 55 FR 32075, Aug. 7, 1990]

§ 20.34 Individual's right to access criminal history record information.

(a). Any individual, upon request, upon satisfactory verification of his identity by fingerprint comparison and upon payment of any required processing fee, may review criminal history record information maintained about him in a Department of Justice criminal history record information system.

(b). If after reviewing his identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his challenge as to the accuracy or completeness of any entry on his record to the Assistant Director of the FBI Identification Division, Washington, DC 20537. The FBI will then forward the challenge to the agency, which submitted the data requesting that agency to verify or correct the challenged entry. If the contributing agency corrects the record, it shall promptly notify the FBI and, upon receipt of such a notification, the FBI will make any changes necessary in accordance with the correction supplied by the contributor of the original information.

(Order No. 601-75, 40 FR 22114, May 20, 1975, as amended by Order No. 835-78, 43 FR 50173, Oct. 27, 1978]

§ 20.36 National Crime Information Center Advisory Policy Board.

There is established an NCIC Advisory Policy Board whose purpose is to recommend to the Director, FBI, general policies with respect to the philosophy,

concept and operational principles of NCIC, particularly its relationships with local and state systems relating to the collection, processing, storage, dissemination and use of criminal history record information contained in the CCH File.

(a).

(1). The Board shall be composed of twenty-six members, twenty of whom are elected by the NCIC users from across the entire United States and six who are appointed by the Director of the FBI. The six appointed members two each from the judicial, the corrections and the prosecutive sectors of the criminal justice community, shall serve for an indeterminate period of time. The twenty elected members shall serve for a term of two years commencing on January 5th of each odd numbered year.

(2). The Board shall be representative of the entire criminal justice community at the state and local levels and shall include representation from law enforcement, the courts and corrections segments of this community.

(b). The Board shall review and consider rules, regulations and procedures for the operation of the NCIC.

(c). The Board shall consider operational needs of criminal justice agencies in light of public policies, and local, state and Federal statutes and these regulations.

(d). The Board shall review and consider, on a continuing basis, security and privacy aspects of the NCIC system and shall as needed, appoint ad hoc subcommittees to provide information and recommendations to the Board concerning security and privacy of the NOW system.

(e). The Board shall recommend standards for participation by criminal justice agencies in the NCIC system.

(f). The Board shall report directly to the Director of the FBI or his designated appointee.

(g). The Board shall operate within the purview of the Federal Advisory Committee Act, Public Law 92-463, and 86 Stat. 770.

(h). The Director, FBI, shall not adopt recommendations of the Board, which would be in violation of these regulations.

(28 U.S.C. 509, 510, 535: 5 Q.S.C. 301)

[Order No. 601-75. 40 FR 22114, May 20, 1975, as amended by Order No. 819-79, 44 FR 12031, Mar. 5, 1979]

§ 20.36 Participation in the Computerized Criminal History Program.

(a). For the purpose of acquiring and retaining direct access to CCH File each criminal justice agency shall execute a signed agreement with the Director, FBI, to abide by all present rules, policies and procedures of the NCIC, as well as any rules, policies and procedures hereinafter approved by the NCIC Advisory Policy Board and adopted by the NCIC.

(b). Entry of criminal history record information into the OCR File will be accepted only from an authorized state or Federal criminal justice control terminal. Terminal devices in other authorized criminal justice agencies will be limited to inquiries.

§ 20.37 Responsibility for accuracy, completeness, currency.

It shall be the responsibility of each criminal justice agency contributing data to any Department of Justice criminal history record information system to assure that information on individuals is kept complete, accurate and current so that all such records shall contain to the maximum extent feasible dispositions for all arrest data included therein. Dispositions should be submitted by criminal justice agencies within 120 days after the disposition has occurred.

§ 20.38 Sanction for noncompliance.

The services of Department of Justice criminal history record Information systems are subject to cancellation in regard to any agency or entity, which fails to comply with the provisions of subpart C.

APPENDIX TO PART 20 - COMMENTARY ON SELECTED SECTIONS OF THE REGULATIONS ON CRIMINAL HISTORY RECORD INFORMATION SYSTEMS

Subpart A-§ 20.3(b).

The definition of criminal history record information is intended to include the basic offender-based transaction statistics/computerised criminal history (OBTS/CCE) data elements.

If notations of an arrest, disposition, or other formal criminal justice transactions occur in records other than the traditional "rap sheet" such as arrest reports, any criminal history record information contained in such reports comes under the definition of this subsection.

The definition however does not extend to other information contained in criminal justice agency reports. Intelligence or Investigative information (e.g., suspected criminal activity, associates, hangouts, financial information, ownership of property and vehicles) is not included in the definition of criminal history information.

§ 20.3(c). The definitions of criminal justice agency and administration of criminal justice of § 20.3(c) must be considered together. Included, as criminal justice agencies would be traditional police, courts, and corrections agencies as well as subunits of noncriminal justice agencies performing inaction of the administration of criminal justice pursuant to Federal or State statute or executive order. The above subunits of noncriminal justice agencies would include for example the Office of Investigation of the U.S. Department of Agriculture, which has as its principal function the collection of evidence for criminal prosecutions of fraud. Also Included under the definition of criminal justice agency are umbrella-type administrative agencies supplying criminal history information services such as New York's Division of Criminal Justice Services.

§ 20.3(e). Disposition is a key concept in section 524(b) of the Act and in 120.21(a)(1) and 120.21(b). It therefore is defined in some detail. The specific dispositions listed in this subsection are examples only and are not to be construed as excluding other unspecified transactions concluding criminal proceedings within a particular agency.

§ 20.3(k). The different kinds of acquittals and dismissals as delineated in 120.3(e) are all considered examples of nonconviction data.

Subpart B - § 20.20(a). These regulations apply to criminal justice agencies receiving funds under the Omnibus Crime Control and Safe Streets Act for manual or automated systems subsequent to July 1, 1973.

In the hearings on the regulations, a number of those testifying challenged LEAA's authority to promulgate regulations for manual systems by contending that section 524(b) of the Act governs criminal history information contained in automated systems.

The intent of section 524(b), however, would be subverted by only regulating automated systems. Any agency that wished to circumvent the regulations would be able to create duplicate manual files for purposes contrary to the letter and spirit of the regulations.

Regulation of manual systems, therefore, is authorized by section 524(b) when coupled with section 501 of the Act which authorizes the Administration to establish rules and regulations "necessary to the exercise of its functions * * *."

The Act clearly applies to all criminal history record information collected, stored, or disseminated with LEAA support subsequent to July 1, 1973.

Limitations as contained in subpart C also apply to information obtained from the FBI Identification Division or the FBI/NCIC System.

§ 20.20 (b) and (c). Section 20.20 (b) and (c) exempts from regulations certain types of records vital to the apprehension of fugitives, freedom of the press, and the public's right to know. Court records of public judicial proceedings are also exempt from the Provisions of the regulations.

Section 20.20(b)(2) attempts to deal with the problem of computerized police blotters. In some local jurisdictions, it is apparently possible for private individuals and/or newsmen upon submission of a specific name to obtain through a computer search of the blotter a history of a person's arrests. Such files create a partial criminal history data bank potentially damaging to individual privacy, especially since they do not contain final dispositions. By requiring that such records be accessed solely on a chronological basis, the regulations limit Inquiries to specific time periods and discourage general fishing expeditions into a person's private life.

Subsection 20.20(c) recognizes that announcements of ongoing developments in the criminal justice process should not be precluded from public disclosure. Thus announcements of arrest, convictions, and new developments in the course of an investigation may be made. It is also permissible for a criminal justice agency to confirm certain matters of public record information upon specific inquiry. Thus, if a question is raised: "Was X arrested by your agency on January 3, 1975" and this can be confirmed or denied by looking at one of the records enumerated in subsection (b) above, then the criminal justice agency may respond to the inquiry. Conviction data as stated in 120.21(b) may be disseminated without limitation.

§ 20.21. The regulations deliberately refrain from specifying who within a State should be responsible for preparing the plan. This specific determination should be made by the Governor. The State has 90 days from the publication of these revised regulations to submit the portion of the plan covering if 20.21(b) and 20.21(1).

§ 20.21(a)(1). Section 524(b) of the Act requires that LEAA insure criminal history information be current and that, to the maximum extent feasible, it contain disposition as well as current data.

It is however, economically and administratively impractical to maintain complete criminal histories at the local level. Arrangements for local police departments to keep track of dispositions by agencies outside of the local jurisdictions generally do not exist. It would, moreover, be bad public policy to encourage such arrangements since it would result in an expensive duplication of files.

The alternatives to locally kept criminal histories are records maintained by a central State repository. A central State repository is a State agency having the function pursuant to a statute or executive order of maintaining comprehensive statewide criminal history record information files. Ultimately, through automatic data processing the State level will have the capability to handle all requests for in-State criminal history information.

Section 20.20(aX1) is written with a centralized State criminal history repository in mind.

The first sentence of the subsection states that complete records should be retained at a central State repository. The word "should" is permissive: it suggests but does not mandate a central State repository.

The regulations do require that States establish procedures for State and local criminal justice agencies to query central State repositories wherever they exist. Such procedures are intended to insure that the most current criminal justice information is used.

As a minimum, criminal justice agencies subject to these regulations must make inquiries of central State repositories whenever the repository is capable of meeting the user's request within a reasonable time. Presently comprehensive records of an individual's transactions within a State are maintained in manual files at the State level, if at all. It is probably unrealistic to expect manual systems to be able immediately to meet many rapid-access needs of police and prosecutors. On the other hand, queries of the State central repository for most noncriminal justice purposes probably can and should be made prior to dissemination of criminal history record information.

§ 20.21(b). The limitations on dissemination in this subsection are essential to fulfill the mandate of section 524(b) of the Act, which requires the Administration to assure that the "privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal Justice and other lawful purposes." The categories for dissemination established in this section reflect suggestions by hearing witnesses and respondents submitting written commentary.

The regulations distinguish between conviction and nonconviction information insofar as dissemination is concerned. Conviction information is currently made available without limitation in many jurisdictions. Under these regulations, conviction data and pending charges could continue to be disseminated routinely. No statute, ordinance, executive order, or court rule is necessary in order to authorize dissemination of conviction data. However, nothing in the regulations shall be construed to negate a State law limiting such dissemination.

After December 31, 1977, dissemination of nonconviction data would be allowed, if authorized by a statute, ordinance, executive order, or court rule, decision, or order. The December 31, 1977, deadline allows the States time to review and determine the kinds of dissemination for non-criminal justice purposes to be authorized. When a State enacts comprehensive legislation in this area, such legislation will govern dissemination by local jurisdictions within the State. It is possible for a public record law, which has been construed by the State to authorize access to the public of all State records, including criminal history record information, to be considered as statutory authority under this subsection. Federal legislation and executive orders can also authorize dissemination and would be relevant authority.

For example, Civil Service suitability Investigations are conducted under Executive Order 10450. This is the authority for most investigations conducted by the Commission.

Section 3(a) of 10150 prescribes the minimum scope of investigation and requires a check of FBI fingerprint files and written inquiries to appropriate law enforcement agencies.

§ 20.21(b)(3). This subsection would permit private agencies such as the Vera Institute to receive criminal histories where they perform a necessary administration of justice function such as pretrial release. Private consulting firms which commonly assist criminal justice agencies in information systems development would also be included here.

§ 20.21(b)(4). Under this subsection, any good faith researchers including private Individuals would be permitted to use criminal history record information for research purposes. As with the agencies designated in § 20.21(b)(3) researchers would be bound by an agreement with the disseminating criminal justice agency and would, of course, be subject to the sanctions of the Act.

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The drafters of the regulations expressly rejected a suggestion, which would have limited access for research purposes to certified research organizations. Specifically "certification" criteria would have been extremely difficult to draft and would have inevitably led to unnecessary restrictions on legitimate research.

Section 524(a) of the Act which forms part of the requirements of this section states: "Except as provided by Federal law other than this title, no officer or employee of the Federal Government, nor any recipient of assistance under the provisions of this title shall use or reveal any research or statistical information furnished under this title by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this title. Copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action suit, or other judicial or administrative proceedings."

LEAA anticipates issuing regulations, pursuant to section 524(a) as soon as possible.

§ 20.21(c)(2). Presently some employers are circumventing State and local dissemination restrictions by requesting applicants to obtain an official certification of no criminal record. An employer's request under the above circumstances gives the applicant the unenviable choice of invasion of his privacy or loss of possible job opportunities. Under this subsection routine certifications of no record would no longer be permitted. In extraordinary circumstances, however, an individual could obtain a court order permitting such a certification.

§ 20.21(c)(3). The language of this subsection leaves to the States the question of who among the agencies and individuals listed in § 20.21(b) shall actually receive criminal records. Under these regulations a State could place a total ban on dissemination if it so wished. The State could, on the other hand, enact laws authorizing any member of the private sector to have access to non-conviction data.

§ 20.21(d). Non-criminal justice agencies will not be able to receive records of juveniles unless the language of a statute or court order, rule, or court decision specifies that juvenile records shall be available for dissemination. Perhaps the most controversial part of this subsection is that it denies access to records of juveniles by Federal agencies conducting background investigations for eligibility to classified information under existing legal authority.

§ 2021(e) Since it would be too costly to audit each criminal justice agency in most States (Wisconsin, for example, has 1075 criminal justice agencies) random audits of a "representative sample" of agencies are the next best alternative. The term "representative sample" is used to insure that audits do not simply focus on certain types of agencies. Although this subsection requires that there be records kept with the names of all persons or agencies to whom information is disseminated, criminal justice agencies are not required to maintain dissemination logs for "no record" responses.

§ 20.21(f). Requirements are set forth which the States must meet in order to assure that criminal history record information is adequately protected. Automated systems may operate in shared environments and the regulations require certain minimum assurances.

20.21(g) (1). A "challenge" under this section is an oral or written contention by an individual that his record is inaccurate or incomplete; it would require him to give a correct version of his record and explain why he believes his version to be correct. While an individual should have access to his record for review, a copy of the record should ordinarily only be given when it is clearly established that it is necessary for the purpose of challenge.

The drafters of the subsection expressly rejected a suggestion that would have called for a satisfactory verification of identity by fingerprint comparison. It was felt that States ought to be free to determine other means of identity verification.

§ 30.21(g) (5). Not every agency will have done this in the past, but henceforth adequate records including those required under 20.21(e) must be kept so that notification can be made.

§ 20.21(gX6). This section emphasizes that the right to access and review extends only to criminal history record information and does not include other information such as intelligence or treatment data.

§ 20.22(a). The purpose for the certification requirement is to indicate the extent of compliance with these regulations. The term "maximum extent feasible" acknowledges that there are some areas such as the completeness requirement, which create complex legislative and financial problems.

NOTE: In preparing the plans required by these regulations, States should look for guidance to the following documents: National Advisory Commission on Criminal Justice Standards and Goals. Report on the Criminal Justice System: Project SEARCH: Security and Privacy Considerations in Criminal History Information Systems. Technical Reports No. 2 and No. 13; Project SEARCH: A Model State Act for Criminal Offender Record Information. Technical Memorandum No. 3; and Project SEARCH: Model Administrative Regulations for Criminal Offender Record Information, Technical Memorandum No. 4.

Subpart C-420.31. Defines the criminal history record information system operated by the Federal Bureau of Investigation. Each state having a record in the Computerized Criminal History (CCH) file must have a fingerprint card on file in the FBI Identification Division to support the CCH record concerning the individual.

Paragraph (b) is not intended to limit the identification services presently performed by the FBI for Federal, state and local agencies.

§ 20.32. The grandfather clause contained in the third paragraph of this section is designed, from a practical standpoint, to eliminate the necessity of deleting from the FBI's massive files the non-includable offenses which were stored prior to February, 1973.

In the event a person is charged in court with a serious or significant offense arising out of an arrest involving a non-includable offense, the non-includable offense will appear in the arrest segment of the CCH record.

Section 20.33. Incorporates provisions cited in 28 CFR 50.12 regarding dissemination of identification records outside the Federal Government for noncriminal justice purposes.

§ 20.34. The procedures by which an individual may obtain a copy of his manual identification record are particularized in 28 CFR 16.30-34.

The procedures by which an individual may obtain a copy of his Computerized Criminal History record are as follows:

If an individual has a criminal record supported by fingerprints and that record has been entered in the NCIC CCH File, it is available to that individual for review, upon presentation of appropriate identification, and in accordance with applicable state and Federal administrative and statutory regulations.

Appropriate identification includes being fingerprinted for the purpose of insuring that he is the individual that he purports to be. The record on file will then be verified as his through comparison of fingerprints.

Procedure.

(1). All requests for review must be made by the subject of his record through a law enforcement agency, which has access to the NCIC CCH File. That agency within statutory or regulatory limits can require additional identification to assist in securing a positive identification.

(2). If the cooperating law enforcement agency can make an identification with fingerprints previously taken which are on file locally and if the FBI identification number of the Individual's record is available to that agency. It can make an on-line inquiry of NCIC to obtain his record on-line or, if it does not have suitable equipment to obtain an on-line response, obtain the record from Washington, D.C. by mail.

The individual will then be afforded the opportunity to see that record.

(3). Should the cooperating law enforcement agency not have the individual's fingerprints on file locally, It is necessary for that agency to relate his prints to an existing record by having his identification prints compared with those already on file in the FBI or, possibly, in the State's central identification agency.

(4). The subject of the requested record shall request the appropriate arresting agency, court, or correctional agency to initiate action necessary to correct any stated inaccuracy In his record or provide the information needed to make the record complete.

§ 20.36. This section refers to the requirements for obtaining direct access to the CCH file.

§ 20.37. The 120-day requirement in this section allows 30 days more than the similar provision in subpart B in order to allow for processing time which may be needed by the states before forwarding the disposition to the FBI.

[Order No. 662-76, 41 FR 34949, Aug. 18, 1976, as amended by Order No. 1438-90. 55 FR 32075, Aug. 7, 1990]

PART 21—WITNESS FEES

Sec.

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Authority: 28 U.S.C. 509. 510. 1821-1825. 5 U.S.C. 301.

SOURCE: 51 FR 16171. May 1. 1986. unless otherwise noted.

§ 21.1 Definitions.

(a). Agency proceeding. An agency process as defined by 5 U.S.C. 551 (5), (7) and (9).

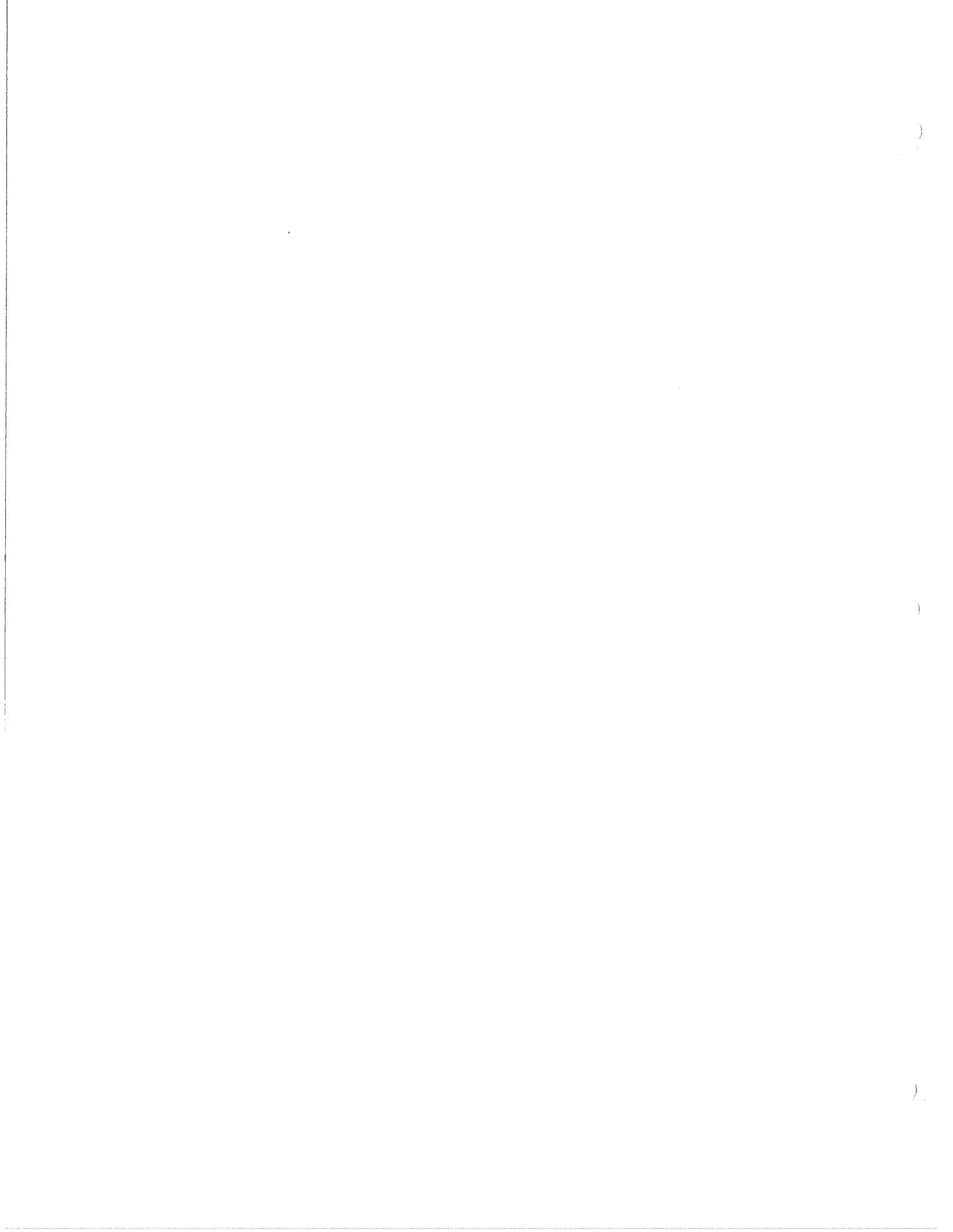
(b). Alien. Any person who is not a citizen or national of the United States.

(c). Judicial proceeding. Any action or suit, including any condemnation, preliminary, informational or other proceeding of a judicial nature. Examples of the latter include, but are not limited to hearings and conferences before a committing court, magistrate, or commission, grand jury proceedings, pre-trial conferences, depositions, and coroners' inquests. It does not include information or investigative proceedings conducted by a prosecuting attorney, for the purpose of determining whether an information or charge should be made in a particular case. The judicial proceeding may be in the District of Columbia, a State, or a territory or possession of the United States including the Commonwealth of Puerto Rico or the Trust Territory of the Pacific Islands.

(d). Pre-trial conference. A conference between the Government Attorney and a witness to discuss the witness' testimony. The conference must take place after a trial, hearing or grand jury proceeding has been scheduled but prior to the witness' actual appearance at the proceeding.

(e). Residence. The term residence is not limited to the legal residence, but includes any place at which the witness is actually residing and at which the subpoena or summons is served. If the residence of the witness at the time of appearance is different from the place of subpoena or summons, the new place of residence shall be considered the witness' residence for computation of the transportation allowance; but if the witness is on a business or vacation trip at the time of appearance, the witness shall be paid for travel from the place of service if this does not result in the witness being paid for more travel than is actually performed.

(f). Summons. An official request, invitation or call, evidenced by an official writing of the court, authority, or



APPENDIX B

PORT AUTHORITY POLICE

One PATH Plaza, Second Floor
Jersey City, New Jersey 07306



SECONDARY AGENCY COMPUTERIZED CRIMINAL HISTORY RECORD RECEIPT

DATE	TIME	COUNTY <input type="checkbox"/> ESSEX <input type="checkbox"/> UNION <input type="checkbox"/> BROOKLYN <input type="checkbox"/> OTHER <input type="checkbox"/> HUDSON <input type="checkbox"/> RICHMOND <input type="checkbox"/> BRONX <input type="checkbox"/> BERGEN <input type="checkbox"/> QUEENS <input type="checkbox"/> MANHATTAN	AGENCY <input type="checkbox"/> SHERIFF <input type="checkbox"/> OTHER <input type="checkbox"/> JAIL <input type="checkbox"/> PROSECUTOR
DEFENDANT INFORMATION			
LAST NAME		FIRST NAME	MIDDLE NAME
DOB	SOC. SEC. #	SEX	RACE
SBI		FBI	
ARRESTING OFFICER INFORMATION			
NAME		COMMAND:	SHIELD NO
RECEIVING AGENT INFORMATION			
NAME PRINT		RANK	SHIELD NO.
SIGNATURE			
WARNING			
<p>Any agency or agent thereof, receiving Criminal History Record Information (CHRI) from any source may not disseminate that information orally or in writing to any other individual or agency that would not otherwise be entitled to receive the (CHRI).</p> <p>Any agency or agent thereof, violating Title 28 of the CFR is subject to a fine not to exceed \$10,000. In addition to the penalties prescribed in Title 28, the Privacy Act of 1974 (Public Law 93-579) provided, in part, that "Any person who knowingly and willfully acquires or obtains any record, concerning an individual, from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than \$5,000".</p>			
AFFIRMATION			
<p>The Computerized Criminal History Record received on the date and time indicated, and on the subject mentioned above will be handled in a manner consistent with the security and privacy concepts regarding Criminal History Records set forth in Title 28, Chapter 1, Part 20 of the Code of Federal Regulations (CFR).</p>			

To: All Members of the Force



INTERIM ORDER

One of a police department's responsibilities is the enforcement of laws, which invariably lead to the arrest of individuals. Often, these individuals default in their responsibilities to the Criminal Justice System and an order for his/her arrest must be issued, which is known as a warrant. The execution of a warrant is the vehicle by which an individual is brought to answer for his/her transgression. However, in order to safeguard against any, criminal, and/or civil liabilities, procedures must be put in place to ensure a smooth and trouble-free warrant execution. Hence, police departments promulgate policies to guide its members through this process. The following is department's policy regarding the maintenance and execution of warrants found in the New Jersey Municipal Court System, which are also known as Automated Traffic System Warrants (ATS) and Automated Complaint System Warrants (ACS).

I. PURPOSE:

The purpose of this Interim Order is to establish a standardized method of entering and monitoring warrants entered into the New Jersey Municipal court System Data base.

II. POLICY:

Effective immediately, the following guidelines shall be followed and adhered to as they relate to Automated Traffic and Automated Complaint System (ATS/ACS) Warrants, which have been entered into the Administrative Office of Courts (AOC) Database by a municipal court as a result of a defendant defaulting with a court mandate.

1. Entry of ATS and ACS into the New Jersey Municipal court System warrants will remain the responsibility of the local municipal court.
2. Whenever a traffic warrant (ATS) or a criminal warrant (ACS) is issued by the municipal court for entry into the New Jersey Municipal Court Database, all information shall be obtained and furnished to the Telecommunications Unit in order that a New Jersey Wanted Person System (NJWPS) entry can be made.

To: All Members of the Force

3. Extradition limitations for all traffic warrants entered into the NJWPS shall not exceed the Port Authority twenty-five (25) mile radius plus adjoining counties*. In the event that a supervisor determines that a broader radius is necessary, he/she shall secure an authorization from the Commanding Officer to obtain the expanded radius. Criminal Warrants (ACS) have no geographic limitations within the State of New Jersey.

*Note: The counties are Bergen Burlington, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren.

4. A Criminal Complaint Report or Follow-Up shall be forwarded to the Telecommunications Unit, via Fax, along with:
 - a. Wanted Person Entry Form.
 - b. Copy of the bench warrant, which must be signed by the court.
5. Prior to performing a NJWPS entry, the Telecommunications Personnel shall search the following files in order to obtain all relevant information on the subject:
 - a. A wanted person inquiry to ensure that a duplicate record does not exist.
 - b. Interstate Identification Index.
 - c. New Jersey Master Name Index.
 - d. Department of Motor Vehicle Data Base (both New Jersey and out-of-state).
 - e. New Jersey Municipal Court System: Automated Traffic System and Automated Complaint System (ATS/ACS).
6. Once all the information on the subject is known, the Telecommunications Unit shall make the entry, ensuring that all relevant information is entered in the NJWPS (i.e., all aliases, scars, marks & tattoos, additional social security numbers, DOBs, miscellaneous numbers, etc.) In addition, the extradition limitation shall be explicitly stated in the "Additional Comments" field (i.e., extradite from the above named counties only).
7. Upon apprehension of an ACS fugitive (criminal warrant) or an ATS (traffic warrant) within the above named counties by another agency, the following steps shall be taken:

To: All Members of the Force

- a. A Hit Confirmation reply message indicating the status of the warrant shall be transmitted immediately. This shall not take more than TEN (10) MINUTES.
- b. The Telecommunications Unit shall contact the command handling the case in order that pickup arrangements can be made.

Note: In cases where the subject cannot be picked up immediately due to manpower constraints, the department that has made the apprehension shall be advised of the delay and a "HOLD" placed on the subject. Individuals wanted in connection to a traffic ticket warrant outside of the extradition limitations shall be directed to report the municipal court where the traffic ticket must be satisfied.

- c. Once pickup arrangements are made, the agency holding the subject shall be notified of that fact.
 - d. Once a locate is placed by the apprehending agency, the record shall be cleared by the Telecommunications Unit.
8. Escorting officers shall pick up the subject in a marked, caged police vehicle that is equipped with a New Jersey SPEN radio. The prisoner will be restrained using a waist and leg shackle and placed in the rear seat of the vehicle, and secured with the seat restraint.

All members of the force are reminded that timely entries are essential. This Interim Order shall remain in effect until such time that Police Operations Instruction (POI) is published concerning ATS/ACS warrants.

By Order of:



Charles D. DeRienzo
Superintendent of Police/
Director, Public Safety Department





INTERIM ORDER

PURPOSE

To establish procedures on the proper handling of persons arrested and detained at Port Authority Police Commands.

POLICY

It is the policy of the Port Authority Police Department to ensure the safety and welfare of all detainees as well as the safety of arresting officers. Every effort must be made to ensure and maintain the safe condition of persons detained and to provide humane and professional treatment during all arrest processing and temporary detention situations.

PROCEDURE

This Interim Order defines the duties and responsibilities of police officers and supervisors during post arrest detention.

ARRESTING OFFICER

- Is responsible for the welfare of prisoner in compliance with this Interim Order, as well as P.O.I. 6-2 "Safeguarding of Prisoners" and P.D.I. 4-19 "Search of Arrested Persons".
- Will notify Desk Officer to have a supervisor respond to witness and process intake.
- Will secure firearm(s) and other items such as knives, batons, chemical sprays, etc., in the weapons locker before entering cell area.

Search of Prisoners before Placing in Detention Cells

In those Port Authority commands equipped with temporary holding rooms/cells, the Tour Commander or his/her designee, shall be responsible for the temporary room/cells, including all security procedures, the management of personnel and any prisoner(s).

Only a member of the same sex as the prisoner will conduct search of prisoner. Search will be conducted in presence of a supervisor. This will include the use of the magnetic

wand.

Arresting officers shall remove from a detainee's possession, all personal property, except essential clothing, paying particular attention to:

- Items of contraband;
- Evidentiary items;
- Items that could be life threatening;
- Items which could facilitate an escape;
- All funds; and
- Items, which could be used to damage or deface property.

All items removed from prisoner will be inventoried in the prisoner's presence and recorded on a Port Authority Prisoner Property form (PA 2749- Attachment A). A copy will be furnished to the prisoner. The prisoner's property will be secured in a prisoner property envelope and placed in the locked box deemed "Prisoner Property". Evidence will be inventoried on the Port Authority Police Department Property and Evidence Receipt form (PA 3972- Attachment B), and secured in an envelope and placed in the command's evidence room.

Prisoner property will be returned to prisoner upon release. If prisoner is transferred to another facility and property is stored by the Port Authority Police, prisoner must request return of property. In all cases, prisoner will acknowledge receipt of all property by signing Prisoner Property Inventory Receipt form (PA 2749). In cases where a prisoner cannot physically return to pick up property, the property can be given to any person designated by the former detainee as long as designee has a notarized letter stating that they are authorized to pick up property. Identification must be verified before release of property.

PLACEMENT OF INDIVIDUALS IN CELLS

Male, female, and juvenile prisoners shall be separated by sight and sound from one another. At no time will a juvenile be placed in an adult holding cell. Juveniles will be held in areas designated by the Commanding Officer for juveniles.

Verification of Prisoner Identification

Positive identification of prisoners shall be verified prior to release.

PHYSICAL CONDITION AND SUPERVISION OF DETAINEE

Upon placement of prisoner in cell, the time will be documented in cell log.

Prior to being placed in a cell, prisoners will be asked if they have any injuries, are under a doctor's care, or are required to take medication. In all cases, the arresting officer/assigned officer shall note any physical deformities, injuries, or obvious signs of illness, intoxication or substance abuse by recording such information in the Cell Log as well as taking a photo of the prisoner. If a prisoner exhibits any signs of illness, injury or loss of consciousness or complains of such, medical attention will be provided. For hospitalization adhere to P.O.I. 6-2 "Safeguarding of Prisoners". For a prisoner in New York that must be arraigned in a hospital due to an injury, follow procedure in P.D.I. 4-16 "Bedside Arraignment".

Physical checks are essential for ensuring prisoner safety and preventing escape. Physical checks of the prisoner will be conducted every 30 minutes. Closer surveillance, which includes cell checks at least every 15 minutes, shall be made for detainees who are:

- A security risk;
- A suicide risk;
- Demonstrating unusual or bizarre behavior; and/or
- Exhibiting signs of mental illness.

Constant monitoring will be provided on an as needed basis as determined by Tour Commander or other supervisor.

The condition of the prisoner shall be documented in the Cell Log notating the time, and signed by the officer conducting the check. It will be the responsibility of the arresting/assigned officer to complete the checks up until such time as the arrest processing is completed. Once completed, a designated officer will resume responsibility until detainee is transported to another detention facility or released. When there is a detainee in the cell, the audio and video systems will be constantly monitored by desk officers. Electronic monitoring is not a substitute for physical checks.

If prisoner is removed from cell for any reason, the date, time and reason for removal must be documented in cell log. If a prisoner needs to be placed in an area other than a holding cell, they must not be left unattended.

The prisoner shall be afforded the opportunity to make telephone calls for purposes of, but not limited to, notifying relatives, obtaining legal representation, and posting bail. All phone numbers and times shall be listed in Cell Log. All attorney-client calls shall be confidential and not recorded.

Prisoners will be provided meals and drinks three times a day if applicable, by a contracted vendor. Meals are to be recorded in the cell log. Absolutely no utensils will be allowed inside cells. Any remaining food containers will be removed immediately from cell area. Blankets will be provided on an as-needed basis.

Unauthorized persons are prohibited from entering the cell area.

DEATH OF PERSON IN A CELL OR HOLDING ROOM

If, while in police custody, a prisoner dies, the following notifications shall be made:

The Tour Commander shall immediately notify:

- EMS
- Medical Examiner's Office
- Commanding Officer
- Central Police Desk
- Superintendent of Police and Deputy Director
- Inspector on duty
- Commanding Officer, Criminal Investigation Bureau

The cell area is to be secured and protected as a crime scene until the Commanding Officer, CIB or designee arrives, and determines that it is no longer a crime scene.

In New Jersey, the death notification must be made to the Chief of The Bureau of County Services – Department of Corrections within three (3) working days. A report in writing must be furnished to this department within two (2) weeks.

In New York, notification must be made to the New York State Commission of Corrections within six (6) hours of the death and a report in writing must be furnished within ten (10) days. The reports shall contain at a minimum, the following information:

- Detainee's name, age, and gender;
- Date and time of admission into the cell or holding room;
- Reason for placement in cell or holding room;
- Logbook entries noting the times of each physical cell check;
- Circumstances surrounding the death; and
- Findings of the investigation

SECURITY AND CONTROL OF DETENTION CELLS

- All weapons are prohibited from cell area.
- Cells will be inspected daily by the Patrol Supervisor or his/her designee to check for damage, vermin, or secreted weapons and contraband. Results of inspection shall be clearly documented in cell log. Any discrepancies shall be immediately reported to the Tour Commander.

- Cells will be re-inspected when placing or removing prisoners from cell.
- Building services will clean unoccupied cells daily.
- The cell keys will be kept in the arrest processing area and the spare keys will be stored in the Tour Commander's office;
- Cell doors will remain open when not in use; and
- Panic strip alarms will be tested daily to ensure they are operational. When not operational, arresting/assigned officer will communicate to desk via the portable radio located in the arrest processing room.

FIRE SAFETY AND EVACUATION PROCEDURE

- Cell areas will be equipped with fire extinguishers and automatic fire/heat/smoke detection systems.
- Emergency evacuation routes are clearly posted throughout cellblock areas.
- First Aid kit will be readily accessible and replenished as necessary. Weekly inspections will be documented on the First Aid Kit Inspection Record.

In the event of a fire or hazardous condition:

- The local fire department will be notified.
- Police Officers on patrol may be called in to assist in the evacuation.
- Prisoners will be immediately removed from cells, handcuffed and secured in a transport vehicle.
- Prisoners will be transported to the nearest police command equipped with cells and housed in the cells at that facility.
- If feasible, the arresting/transporting officer will remain at that command to monitor the prisoners.
- The Cell Log will be removed and transported with the prisoners.

PRISONER ESCAPE

In the event of an escape by a prisoner held in a detention cell, immediate efforts shall be made for his/her apprehension. Jailer/desk officer will make the following notifications:

- Tour Commander and Commanding Officer.
- All officers on patrol.
- Prisoner's information should be broadcasted, and shall include the prisoner's description, direction of flight, if dangerous, etc.
- CPD (to issue full alarm and make SPEN notification).

- Cell area will be secured for preservation of evidence and inspection.
- An investigation shall be initiated into the circumstances surrounding the escape to determine the reason for the escape and any recommendations to prevent future escapes.

Any escape or other incidents that threaten the security of the facility or any persons therein shall be documented on a PA2265 and submitted to the facility Commanding Officer along with a CCR.

ACCEPTING DETAINEES FROM OUTSIDE AGENCIES

Any time a prisoner is received into a Port Authority holding cell by an outside agency, the Patrol Supervisor must verify the authority of the individual lodging said prisoner, and the approximate duration of the commitment. Information regarding such shall be documented in the cell log. Upon release, the Patrol Supervisor must verify the credentials and authority of the person collecting the prisoner and document the release in the cell log.

In all cases when a prisoner is received from an outside agency due to a warrant we must verify warrant through CPD.

LODGING DETAINEES IN NON-PORT AUTHORITY FACILITIES

Officers lodging prisoners in a non-Port Authority facility will adhere to that municipality's rules and regulations.

DETAINEES RIGHTS

- An opportunity to make bail and have a timely court appearance shall not be impeded.
- Detainees will be afforded the opportunity to make a phone call or calls within a reasonable time. Calls will be documented in the cell log. Prisoner will be notified if calls are being recorded.
- Phone use will be allowed at the convenience of the arresting officer.
- If a detainee phones his attorney and requests privacy, every effort should be made to allow him/her to have a confidential conversation.
- Prisoners who are detained during any of the usual three (3) daily meal hours shall be provided with a hot or cold meal.
- A record of meals provided, including a notation of the prisoner's refusal thereof will be indicated in the cell log.
- Cells will be equipped with a sitting or sleeping area, toilet and a functioning sink.

VISITATION RIGHTS AND RECEIVING PARCELS

The Port Authority of NY & NJ does not have facilities available for prisoner visitation. Therefore, it is the policy of this department not to allow visits for prisoners. Exceptions may be made at the discretion of the facility Commanding Officer.

It is the policy of the Port Authority Police Department not to allow prisoners to receive packages or mail of any kind while detained.

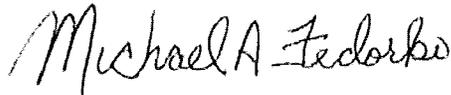
TRAINING

The Police Academy will conduct cellblock detention refresher training to all members of the force at least once every three (3) years. Initial training will be provided to all police recruits while assigned to the Police Academy recruit-training program.

CELL BLOCK INSPECTIONS

Temporary detention cells and rooms will be inspected annually in New York by the State Commission Of Correction, and in New Jersey by the New Jersey Department of Corrections.

By Order of:



MICHAEL A. FEDORKO
Superintendent of Police
Director, Public Safety Department

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11

12



PRISONERS PERSONAL PROPERTY INVENTORY RECEIPT

PA 2749 / 01-08

Command: -Select One- Case #/CCR #: Arrest #: Date: Time: :

Prisoner's Name:

Prisoner's Address:

Charges:

PRISONER PERSONAL PROPERTY RETAINED FOR SAFEKEEPING (IF NONE, WRITE "NONE")

Total Money:	Bills						Coins					
	\$1	\$5	\$10	\$20	\$50	\$100	Other:	1	5	10	25	50

- Wallet
- Watch
- Belt
- Rings and Jewelry of apparent value (Describe):
- Medals
- Comb
- Pen
- Shoe Laces
- Pocket
- Keys
- Book
- Lighter
- Eyeglasses
- Other miscellaneous items / remarks:

Items Taken From Prisoner and Retained for Evidence

Gun Make Mod. Ser. #

Personal Property Returned (Considered Harmless and Returned to Subject.)

Final Disposition (If Property is Turned Over to Local Precinct. List Precinct and Name of Receiving Officer.)

ARRESTING OFFICER: SUPERVISOR:

PRISONER ACKNOWLEDGES RECEIPT OF THE ABOVE LISTED PERSONAL PROPERTY

I Hereby Acknowledge receipt of the property described herein.

Prisoner Signature

Date

RELEASING OFFICER

Name: Signature Date

NOTICE TO PRISONER

THIS IS YOUR RECEIPT FOR THE PROPERTY TAKEN FROM YOU AT THE TIME OF YOUR ARREST. DO NOT LOSE IT. YOU MUST PRESENT THIS RECEIPT TO CLAIM YOUR PROPERTY.

PORT AUTHORITY POLICE WILL NOT BE RESPONSIBLE FOR ANY PERSONAL PROPERTY NOT CLAIMED WITHIN SIX MONTHS AFTER THE DATE ON THIS RECEIPT. PROPERTY MAY BE CLAIMED MONDAY TO FRIDAY, 9 AM TO 2 PM.

ADVERTENCIA AL PRISIONERO

ESTE ES SU RECIBO DE LAS PERTENENCIAS CONFISCADAS EN EL MOMENTO DE SU DETENCIÓN. NO LO PIERDA. DEBE PRESENTAR ESTE RECIBO CUANDO RECLAME SUS PERTENENCIAS.

LA POLICÍA DE LA AUTORIDAD PORTUARIA NO SERÁ RESPONSABLE DE CUALQUIER PERTENENCIA PERSONAL NO RECLAMADA SEIS MESES DESPUÉS DE LA FECHA DE ESTE RECIBO. PUEDE RECLAMAR SUS PERTENCIAS DE LUNES A VIERNES, DE 9 AM A 2 PM.



PORT AUTHORITY POLICE DEPT. PROPERTY & EVIDENCE RECEIPT

PA 3972 / 08-10

Property:					<input type="checkbox"/> Arrest Evidence	<input type="checkbox"/> Found	<input type="checkbox"/> Decedents	<input type="checkbox"/> Stolen	<input type="checkbox"/> Investigatory Evidence
Found or Recovered by		Command		Municipality		CCR / Case #		Package/Envelope #	
Location Where Found or Recovered						Date Found or Recovered		Time Found or Recovered	
Owner's Name			Address & Zip Code				Telephone Number		
Brief Explanation of Finding or Recovery									

PRISONER INFORMATION

Prisoner (A)		Arrest #	Date of Birth	Date of Arrest	Time of Arrest
SBI #	CDR #	Charges			
Prisoner (B)		Arrest #	Date of Birth	Date of Arrest	Time of Arrest
SBI #	CDR #	Charges			
Prisoner (C)		Arrest #	Date of Birth	Date of Arrest	Time of Arrest
SBI #	CDR #	Charges			

PROPERTY INFORMATION

I tr	Qty	Evidence Source	Article Description	Est. Cash Value

Signature & Rank of Officer Executing Receipt		Emp. #	Command	Signature of Superior Receiving Receipt		Emp. #	Command
-----------------------------------------------	--	--------	---------	-----------------------------------------	--	--------	---------

BELOW FOR PROPERTY ROOM USE ONLY – RECORD OF PROPERTY MOVEMENT

Property Location			Photo Taken By Date			Authorization to Release Items By		
Prosecutor's Release				Signature of Property Officer				Date
Sent		Received						
Date	Item #	Print Name	Signature	To	Sealed?	Envelope # / Comments	Prop. Off.	

I HEREBY ACKNOWLEDGE RECEIVING FROM THE PORT AUTHORITY POLICE DEPARTMENT THE PROPERTY LISTED ABOVE

Name	Signature	Item #(s)	Date
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Total # of Property & Evidence Receipts: OF RECEIPTS

POLICE PATROL GUIDE

SUMMONSES AND COURT APPEARANCES

I. INTRODUCTION

The courts require that tests be made periodically to insure the accuracy of the speedometers of police vehicles used to apprehend speeders. To provide the best possible evidence that the vehicle speedometer indicates the actual speed of the vehicle, a vehicle speedometer performance test simulating road-driving conditions will be performed.

II. EQUIPMENT AND DISTRIBUTION

A Master Speedometer Testing Machine is used to test the accuracy of police vehicle speedometers. A complete testing unit is located at John F. Kennedy International Airport, at each Hudson River Crossing, and at the Goethals Bridge. A testing unit will consist of (1) a Master Speedometer Testing Machine, (2) a portable tachometer which measures RPM used to check the accuracy of the testing machine, and (3) a synchronous motor of known RPM used to check the accuracy of the portable tachometer.

III. DESCRIPTION OF TEST EQUIPMENT

The Master Speedometer Testing Machine is a roller-type speedometer tester. Included with this machine is a master head and odometer mounted on a stand positioned so that the testing and witnessing officers may readily observe the readings. This test simulates road-driving conditions and will eliminate errors such as:

- A. Inaccurate or improperly calibrated speedometers.
- B. Worn or incorrect size tires.
- C. Incorrect gearing ratio between the vehicle speedometer and wheel speeds.

IV. FREQUENCY OF TESTS

- A. Each Master Speedometer unit and the speedometer of each police vehicle will be tested at twenty-one day Interval Individual facility commanding officers will be responsible for establishing the day of the week on which the test will be conducted. In the event of emergencies, heavy snowfalls, etc., the testing period will not exceed twenty-one days. The test described in Appendix I must be performed before and after the testing of vehicle speedometers.
- B. A car, which has been out of service on the date it is due for test, will be tested before it is put back in service.
- C. A car which has undergone repairs or adjustments which could change the ratio between the speedometer and the vehicle rear wheels (transmission, drive shaft, rear end, or tires) will be tested before it is put back in service.

- D. A new car will be tested before it is put into service. The new car check will include an odometer check to insure proper gear ratios.
- E. A decommissioned car will be tested before leaving a facility.
- F. In the event a vehicle is damaged so as to be rendered unserviceable, the speedometer teed will be removed and bench-tested for accuracy with the Stewart Warner testing device by a qualified testing officer at the Central Automotive Shop. This is to assure continuity of records for court purposes.

V. TESTING OFFICERS' TRAINING AND QUALIFICATIONS

The testing officers will be trained and qualified in the operation of the Master Speedometer Testing Unit by the staff of the Police Academy.

VI. MAINTENANCE OF TEST RECORDS

The following forms are completed and filed at the facility and retained until all speeding summonses based on that particular record are disposed of by the court:

Form #1815 - Speedometer Test Record (original only)

Form #2415 - Master Speedometer Calibration Certificate (duplicate - garage file - facility file)

- A. In cases where a vehicle is transferred-temporarily or permanently from one facility to another, the Speedometer Test Record (Form #1815) must accompany the car.

VII. CARE AND SECURITY OF TEST EQUIPMENT

The facilities concerned will exercise adequate control to insure the proper usage, careful handling, and storage of the Master Speedometer Testing Machine and the related checking instruments.

VIII. REPLACEMENT AND REPAIR OF INACCURATE SPEEDOMETERS

If a Jones-110=1a speedometer is found to be inaccurate and the testing officer is unable to bring the inaccuracy within tolerance by making the standard adjustments, the procedure outlined below will be followed.

- A. The inaccurate speedometer will be removed from the vehicle and replaced by a spare speedometer.
- B. The tour commander will arrange to have the inaccurate speedometer delivered to the Central Automotive Shop as soon as possible using either method described below:
 - 1. Dispatch a man with the inaccurate speedometer directly to the Central Automotive Shop to make an exchange.
 - 2. The inaccurate speedometer can be picked up by Summons Courier and taken to the Central Police Desk to be forwarded to Central

Automotive. When exchanged, it will be picked up at the Central Desk by Summons Courier and returned to the facility.

- C. When the inaccurate speedometer is delivered to the Central Automotive Shop, a spare replacement speedometer will be obtained and returned to the facility.

IX. REPAIR OR ADJUSTMENT OF THE MASTER SPEEDOMETER TESTING MACHINE

All repairs or adjustments to the Master Speedometer Testing Machine and the related checking instruments will be arranged through the Mechanical Engineer in the Central Maintenance Engineering Division.

The only exception to the above will be an allowable adjustment of the Master Speedometer Head, which will be performed as follows:

- A. The testing officer completes the test of the Master Speedometer Testing Unit as prescribed in Appendix I, calculates the true speeds and enters them on Form 2415.
- B. If the calculated speeds are consistently above the tolerance allowed throughout the entire range of the test, or consistently below the tolerance allowed throughout the entire range of the test, the testing officer will determine what the speed indication should be for the RPM readings obtained and will adjust the Master Head to conform.
- C. To Adjust the Low Range -- With the Master Speedometer range selector switch on the low range, the witnessing officer will accelerate the vehicle to obtain a reading of 50 MPH on the Master Speedometer, and the testing officer using the low range adjustment at the rear of the master head will increase or decrease the reading as required to bring the master head to the true reading for the RPM.
- D. To Adjust the High Range -- With the Master Speedometer range selector switch on the high range, the witnessing officer will accelerate the vehicle to obtain a reading of 50 MPH on the Master Speedometer and the testing officer using the high-range adjustment at the rear of the master head will increase or decrease the reading as required to bring the master head to the true reading for the RPM.

After adjustment of the master head, the test of the Master Speedometer Testing Unit as prescribed in Appendix I is then repeated and only the 2415 reflecting the corrected reading will be filed.

X. COURT APPEARANCES AND TESTIMONY BY THE CALIBRATION OFFICER

A. New Jersey Courts

- 1. When notified to appear in court or other official governmental agency hearings, due to a "not guilty" plea on a speeding violation, the summoning officer and the officer who has performed the speedometer test will appear in court as directed. The testing officer

will have in his possession the Form PA 1815, Speedometer Test Record, which will verify the accuracy of the speedometer during the period when the contested summons was issued.

2. If asked to describe the vehicle speedometer test, the following statement will be made:

"We use a roller-type speedometer tester. The vehicle is backed on a set of rollers positioning the rear wheels between them. The rear wheels of the vehicle are started in a forward motion to simulate road driving. The speedometer of the vehicle is then checked against the master head of the testing machine at speeds of from 20 -80 MPH. If the speedometer does not exceed a tolerance of plus or minus 1½ MPH under 50 MPH or 2½ APR over 50 MPH against the master head, the vehicle speedometer is considered accurate."

B. New York - Department of Motor Vehicles Administrative Adjudication Bureau

1. Members of the Force assigned to the calibration of speedometers are not required to appear, as witnesses, at hearings before the New York Department of Motor Vehicles Administrative Adjudication Bureau, on "not guilty" pleas for speeding summons cases.
 2. Upon receipt-of notification of appearance at a hearing before the Adjudication Bureau, on a case involving a speeding charge, the summonsing officer must obtain from his commanding officer, a "Certification of Calibration" Form PA 18151t, for the vehicle that he used in clocking the violation.
 3. Certificate of Calibration, Form PA 1815A
 - a. Since this form is designed to be a true copy of the data contained on the Speedometer Test Record, Form PA 1815, care must be exercised in its preparation in order to insure that all the information is correctly transcribed.
 - b. The Certification Form must be verified and signed by a superior officer.
 4. The summonsing officer must have the "Certification Form", PA 1815A, in his possession when appearing at the hearings. However, he should present the form as evidence only when requested.
 5. If the defendant wishes to appeal a decision of the Administrative Adjudication Bureau, the case is then referred to the Criminal Courts. When the summonsing officer receives a subpoena to appear in Criminal Court on a speeding case, the calibration officer will then be required to appear in court as prescribed in paragraph A, Sections 1 and 2 of this section.
- C. In all cases, police personnel will be guided by any lawful instructions given by the court or other official governmental agency.

XI. RESTRICTICNS ON TESTING INSTALLATIONS

- A. Only police sedans and station wagons will be calibrated.
- B. Only qualified officers will use the testing equipment.
- C. Trucks will never be roiled over or rested on the unit rollers.
- D. Protective covers will always be in place when the machine is not in use.
- E. During inclement weather, snow, rain, etc., allow vehicles to drip dry before testing.
- F. No one, other then as prescribed in IX, will make any adjustments or repairs to the Master* Testing Machine or-related testing equipment.

APPENDIX II. MASTER SPEEDOMETER ACCURACY TEST

- A. Connect the electric cable of the synchronous motor to an electrical receptacle to activate. Check the accuracy of the tachometer by coupling it to the shaft of the synchronous motor. The tachometer reading in RPM should be within 15 RPM of the RPM rating (1800) of the synchronous motor to be considered accurate.
- B. The testing officer will check the tires of the test vehicle with an air gauge to ascertain that they are inflated to the proper pressure.
- C. The testing officer will activate the air valve so that the airlift pads are in the up position.
- D. Under the direction of the testing officer, the vehicle is back on the Master Speedometer Testing Machine making sure that front and rear wheels are in alignment.
- E. With the vehicle in position on the air lift pads, the following steps will be taken:
 - 1. Chock front wheels of the vehicle.
 - 2. Activate air valve so as to lower the air pads. Secure valve so that it cannot be operated accidentally while the vehicle is in motion on the machine.
 - 3. Secure safety chains to rear spring shackles on both sides of vehicle.
 - 4. Attach flexible exhaust tube(s) to vehicle's exhaust system.
- F. Couple the generator and odometer cables from the master head by plugging into respective receptacles on rollers.

- G. To assure safe operation the vehicle must be accelerated and decelerated gradually. Under normal conditions, the brakes will not be used to decelerate. Do not place transmission in park position while rear wheels are moving.
- H. The operator of the test vehicle will place the car in forward drive and operate at low speed, so that testing officer can make physical inspection of rear tires for foreign objects, nails, etc.
- I. The vehicle is again placed in forward drive and accelerated until a constant speed of 20 MPH is indicated on the master head. While the vehicle operator is maintaining a constant 20 MPH, the testing officer observes and records on Form #2415, the reading on the master speedometer and measures the speed of the roller by placing the tachometer against the axis of the left end of the forward roller shaft
- A reading on the tachometer in RPM is obtained at 20 MPH and entered on the Form #2415 by the testing officer. This procedure will be repeated at 10 miles increments up to and including 80 MPH. Because the dial on the master head is graduated up to 60 MPH on the low range, it will be necessary to change the range switch on the back of the master head to high range to conduct the test at 70 MPH and 80 MPH.
- J. On completion of the test, the tester will multiply each RPM reading by the printed constant on the Form #2415. The result in each case will be entered to the nearest tenth (10th) on the corresponding line under the heading, COMPUTED SPEED.
- K. A variation of not more than plus or minus 1 MPH up to 50 MPH or not more than 2 MPH between 50 MPH and 80 MPH, will indicate that the Master Speedometer Testing Machine is functioning properly. Variations in excess of these require that the machine be adjusted. If the testing officer is unable to adjust the master head, as directed in Section IX, P.D.I. 1-6, the machine will require calibration. This will be arranged through the Mechanical Engineer in the Central Maintenance Engineering Division.
- L. When the test indicates that the Master Testing Machine is accurate, the tester will complete Form #2415 in duplicate and sign. Forward the original to the facility commanding officer and retain the copy for the testing file.
- M. To insure the accuracy of the Master Speedometer Testing Unit, the testing officer must rigidly adhere to the prescribed procedures and be precise in the readings he takes and the computations made.

APPENDIX II

I. VEHICLE SPEEDOMETER TEST PROCEDURE

- A. The testing officer will check the tires of the test vehicle with an air gauge to ascertain that they are inflated to the proper pressure.

- B. The testing officer will activate the air valve so that air left pads is in the up position.
- C. Guided by the witnessing officer, the testing officer will back the test vehicle on the Master Speedometer Testing Machine, making sure that front and rear wheels are in alignment.
- D. With the vehicle in position on the air lift pads, the following steps will be taken:
 - 1. Chock the front wheels of the vehicle
 - 2. Activate air valve so as to lower air pads. Secure valve so that it cannot be operated accidentally while the vehicle is in motion on the machine.
 - 3. Secure safety chains to rear spring shackles on both sides of the vehicle.
 - 4. Attach flexible exhaust tube(s) to vehicle's exhaust system.
- E. To assure safe operation, the vehicle must be accelerated and decelerated gradually. Under normal conditions, the brakes will not be used to decelerate. Do not place transmission in park position while rear wheels are moving.
- F. The operator of the test vehicle will place the car in forward drive and operate at low speed so that testing officer can make physical inspection of rear tires for foreign objects, nails, etc.
- G. With the witnessing officer occupying the seat directly behind the testing officer, the vehicle is put into forward drive to simulate road driving and the test is begun. The readings on the vehicle speedometer are compared with the readings on the master speedometer and recorded on Form #1815. The comparisons are made at 10-mile increments from 20 MPH to 80 MPH, always using the master head as the standard. Because the dial on the master head is graduated up to 60 MPH on the low range, it will be necessary to change the range switch on the back of the master head to high range to conduct the test at 70 MPH and 80 MPH.H.
- H. The allowable tolerance under 50 MPH is plus or minus 1a MPH. Over 50 MPH, the tolerance is plus or minus 2i MPH. Speedometers reading within the above-mentioned limits are considered accurate.
- I. On completion of the speedometer test, if all readings are within the tolerance, the vehicle is returned to service and Form #1815 is dated and signed by the tasting and witnessing officers and filed.

II. INACCURATE SPEEDOMETERSA. Jones-Motorola Speedometers

1. When Jones-Motorola speedometer is found to be inaccurate, the testing officer will make the standard adjustments to the speedometer to bring the inaccuracy within the tolerance.
2. If the adjustment fails to correct the inaccuracy, the defective speedometer will be removed from the vehicle and replaced by a spare speedometer.
3. An entry will be made on the next line of Form #1815 attesting to the adjustment or replacement of the speedometer.
4. When the replacement speedometer has been installed, the testing and witnessing officers will conduct the complete comparison tests on the replacement speedometer, recording the results on the next line of Form #1815. This will establish the accuracy of the replacement speedometer.
5. The vehicle will then-be returned to service and Form #1815 will be dated and signed by the testing and witnessing officers and filed.
6. The inaccurate speedometer will be processed as outlined in Section VIII, A., B., and C. of P.D.I. 4-9.B.

B. Reasons for Removal of Speedometer from a Police Vehicle for Preventive Maintenance

When a speedometer is removed from a vehicle for preventive maintenance (P.M.) the reasons for this preventive maintenance will be noted on Form #18154. Failure to note the reasons for the preventive maintenance may result in the dismissal of speed cases adjudicated by the Administrative Adjudication Bureau in the City of New York.

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The Port of New York Authority

APPENDIX III

POLICE DIVISION

Certification Of Speedometer Tests And Repairs For Vehicle No. _____

For Summons Served On _____ At: _____
(Date) (Time)

Record of Speedometer Tests • PA 1815

The speedometer attached to division vehicle No. _____ of Command _____ has been officially tested on a roller type master speedometer machine, on the following dates, and at speeds indicated.

Speeds Tested

Date	20	30	40	50	60	70	75	80	Testing Officer	Witnessing Officer
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

Record of Speedometer Repairs • PA 1815

Repairs made to the speedometer attached to the vehicle listed above during the testing dates indicated. If none, so state:
Out Of Service

Time	Date	Mileage	Nature of Repair	Date of Repair	Repaired By
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

The members of the Police Division listed above as testers of speedometers, meet all of the requirements established for testers of speedometers. They have received specialized training and instruction from qualified personnel at the Port Authority of New York and New Jersey Police Academy in testing and maintenance of calibration tolerances of Police speedometers in calibrated vehicles against a master speedometer and have acquired field experience as testers.

This is to certify that this is a true copy of the Record of Speedometer Test and Speedometer Repair in the custody of the Police Division of The Port Authority of New York and New Jersey for the period during which summons were served.

Date Name of Superior Officer Rank Command

PA 1815A / 2-02

**THE PORT AUTHORITY OF NY & NJ
Police Division
Record of Speedometer Tests and Repairs**

Record of Speedometer Tests

Certification of speedometer tests and repairs for vehicle no. _____ For summons served on _____ at _____ Date _____ Time _____

The speedometer attached to division vehicle _____ of _____ Command _____ has been officially tested on a roller type master speedometer machine on the following dates and at speeds indicated.

Date	Speeds Tested								Testing Officer	Witnessing Officer
	20	30	40	50	60	70	75	80		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

Record of Speedometer Repairs

Repairs made to the speedometer attached to the vehicle listed above during the testing dates indicated. If none so state:

Time	Date	Mileage	Nature of Repair	Date of Repair	Repaired By

The members of the Police Division listed above as testers of speedometers, meet all of the requirements established for testers of speedometers. They have received specialized training and instruction from qualified personnel at the Port Authority of New York and New Jersey Police Academy in testing and maintenance of calibration tolerances of Police speedometers in calibrated vehicles against a master speedometer and have acquired field experience as testers.

This is to certify that this is a true copy of the Record of Speedometer Test and Speedometer Repair in the custody of the Police Division of The Port Authority of New York and New Jersey for the period during which summons were served.

_____ Date _____ Name of Superior Officer _____ Rank _____ Command _____

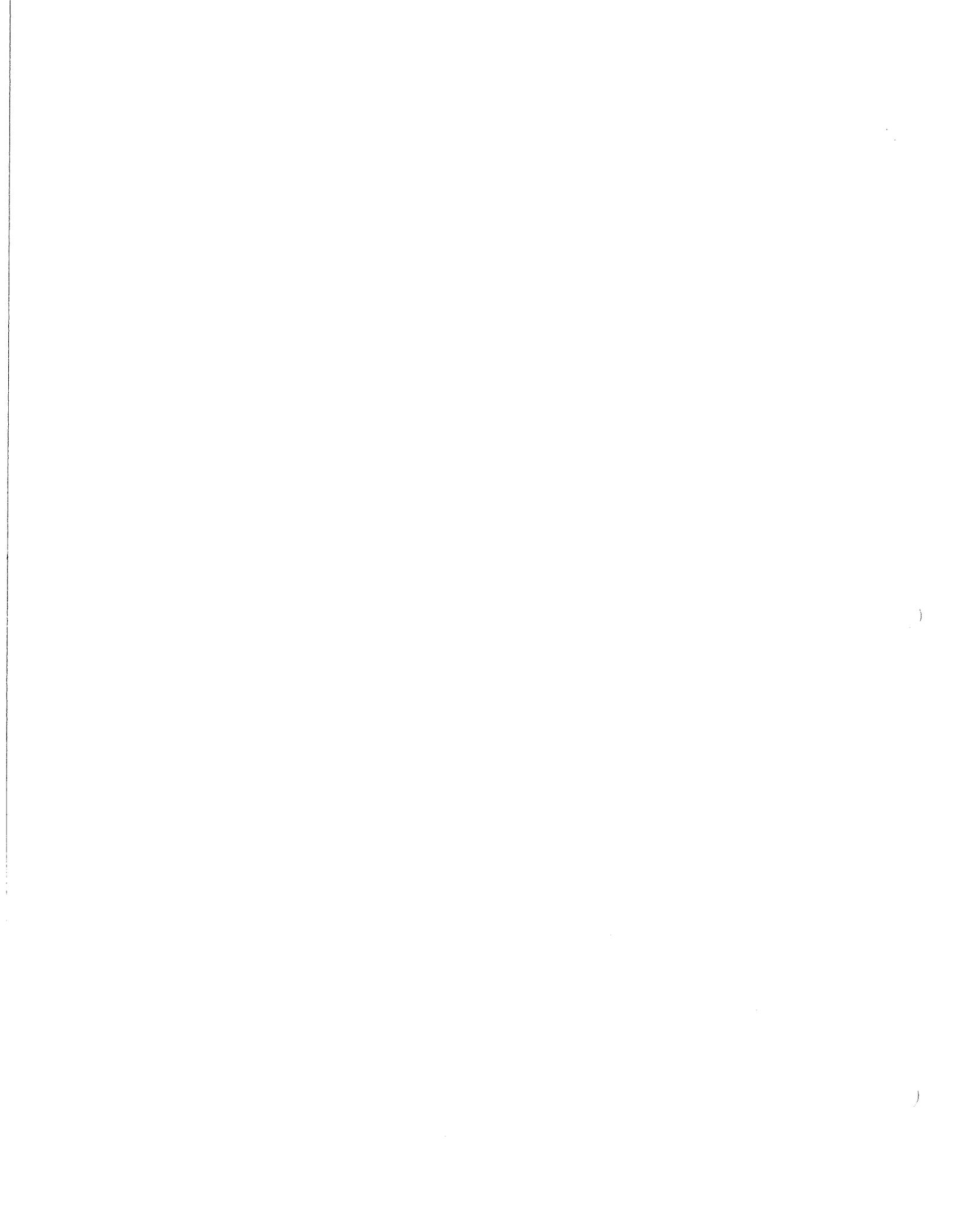
APPENDIX IV

SPEEDOMETER CALIBRATION UNIT SERVICE INSTRUCTIONS

In order that the speedometer Calibration Unit operate at maximum efficiency, the following maintenance schedule will be followed:

1. Facility maintenance personnel should maintain the Calibration Unit monthly. Such maintenance should include removal of the 2 lift plates between the rollers. Accumulated dirt and other foreign matter should be cleaned from the base plates beneath the rollers, using a vacuum cleaner.
2. All working parts should then be lubricated with SAE 40 oil.
3. Bearings should be greased on an annual basis.
4. With the center section cover plate off, operate the lifts and check the operating cables for wear and need for adjustment. Check the entire unit for corrosion and need for painting.

In addition to the annual maintenance schedule, personnel operating these units should check the grease cup on the instrument cabinet. The cup should be filled at least once every six (6) months.



I. INTRODUCTION & DESCRIPTION

This instruction outlines the procedures for requisitioning, dispensing, processing and controlling N.Y.C. Universal Appearance Tickets. The N.Y.C. Universal Appearance Ticket consists of four parts:

Part 1 Complaint Copy (white) - forwarded to proper adjudicating agency.

Part 2 Defendant's Copy (Yellow) for cases returnable to the Administrative Adjudication Agency.

Part 3 Defendant's Copy (Pink) - for cases returnable to Criminal Court

Part 4 Defendant's Copy (hard buff) - for cases returnable to the Parking Violations Bureau

II. UNIVERSAL APPEARANCE TICKETS

A. Requisitioning

Universal Appearance Tickets are requisitioned by the Police Division from the Parking Violations Bureau, 44-66 Vernon, Boulevard Long Island, New York on P.V.B. form 0205. The amount requisitioned should be for a (6) month supply. A designated courier who obtains the Universal Appearance Tickets on Wednesdays only, and delivers them to the Commanding Officer of the Central Police Pool delivers the requisition.

B. Initial Processing

1. Upon delivery of the forms at the Police Division Office, the Police Division Equipment Sgt. records the serial numbers in the Summons Record Log and places the ticket forms in stock for issue to the facilities as required.
2. Periodically, each facility police commanding officer, having estimated the number of tickets to be served at his facility during the ensuing six months, will forward a memorandum of requisition to the Superintendent of Police.

C. Distribution

1. The summons courier will deliver the B.T.C. Universal Appearance Ticket forms to the facility police desk.
2. The desk officer will make a blotter entry to the effect that he received a package of tickets from the summons courier.
3. The package will be delivered to the Commanding Officer where the numbers will be checked against those noted on the receipt, which accompanies the package.

4. The receipt is signed by the Commanding Officer and returned to the Police Division Equipment Sergeant.

D. Facility Control

1. As Universal Appearance Tickets are received, they will be recorded in numerical sequence in the Summons Log, Form 1768. Discrepancies, if any, are immediately brought to the attention of the facility police commanding officer.
2. Universal Appearance Tickets are then issued to police personnel upon verbal request. At the time of receipt, the requesting officer sign for them in a space provided on the Summons Log.
3. Universal Appearance Tickets issued and remaining outstanding for a period designated by commanding officers are recalled and re-issued to police officers normally requiring large quantities of tickets.
4. The Police Commanding Officer determines the quantity issued to each individual; however, the minimum issue of summonses will be 3 per facility assigned officer. C.P.P. officers will be issued summonses on a need basis by the facility of assignment.
5. The date on which a Universal Appearance Ticket is served by a Police Officer is obtained from the agency copy and recorded in the Summons Log, Form 1768, which is maintained on a current basis.

III. PROCESSING OF SERVED SUMMONSES

A. Initial Procedure

As soon as practicable, an officer issuing a Universal Appearance Ticket calls the police desk with the following information: name of police officer, ticket number and time served. (This information along with the facility serial number posted in the border constitutes the complete blotter entry.) If possible, he delivers to the police desk the three copies of the Universal Appearance Ticket within 30 minutes. Upon receipt, the desk officer posts the facility serial number on all copies.

B. Distribution

1. The complaint copy will be forwarded to the proper adjudicating agency.
2. The remaining copies will be forwarded to the facility Commanding Officer for filing.

IV. ACCOUNTING FOR UNIVERSAL APPEARANCE TICKETS

- A. Upon receipt of the facility copies by the police commanding officer the date served is entered against that ticket in the Summons Log, Form 1768. The Agency copies are then filed numerically by facility serial number.

V. ROUTING OF ADJUDICATING AGENCY COPIES - COMPLAINTS

A. Responsibility of Desk Officers

The desk officer on the 12 Midnight - 8:00 AM tours, at the completion of each calendar day, will route the complaint copies of Universal Appearance Tickets, legally served, via the summons courier as follows:

1. Parking Violations - all complaint copies will be inserted in a yellow (Form PA 1606) envelope (not to exceed 100 in each envelope) whereupon it will be sealed in the prescribed manner and forwarded to the Parking Violations Bureau.
2. Moving (Vehicle) Violations - all complaint copies will be inserted in blue (Form PA 3005A) envelope (not to exceed 100 in each envelope) whereupon it will be sealed in the prescribed manner and forwarded to the New York State Department of Motor Vehicles, Administrative Adjudication Bureau.
3. Violation Returnable to Criminal Court - all complaint copies will be inserted in a white (Form PA 3005) envelope (not to exceed 100 in each envelope) whereupon it will be sealed in the prescribed manner and forwarded to the proper Criminal Court.

VI. COLLECTION OF UNIVERSAL APPEARANCE TICKETS (COMPLAINTS)

A. Procedure

The following procedure applies to the collection of Universal Appearance Tickets (Complaints) from the various facilities, Monday through Friday, inclusive. No collections are made on Saturdays, Sundays, holidays or when otherwise specified. The Police Division notifies facilities of any schedule changes received from the Orders Unit of the New York City Police Department.

1. The courier stops at all facilities in a vehicle without "Police" markings. At those facilities having Universal Appearance Tickets he acknowledges receipt (by entry in the police blotter) of envelopes previously prepared by desk officers. The envelopes are placed in the dispatch case immediately upon collection. Where applicable, the courier also distributes any new supply of Universal Appearance Tickets at this time.
2. Upon returning to the Central Police Desk, the courier prepares the "Summons Envelope Receipt," Form PA 3031, in duplicate listing the total number of tickets, envelopes and the originating facility, for all the summonses collected.

VII. UNIVERSAL APPEARANCE TICKETS - DELIVERY

- A. The courier delivers the dispatch case to the proper adjudicating agencies beginning at 9:00 AM following the collection of Universal Appearance Tickets. A representative of each agency will ascertain the number of envelopes and sign the "Summons Envelope Receipt", Form 3031. The

original of the receipt is given to the representative and the duplicate returned to the Police Division for filing.

VIII. ISSUANCE OR RETRIEVAL PROCESS

- A. In no case will a universal Appearance Ticket, properly prepared legally served, be retrieved.
- B. Partially Completing Universal Appearance Tickets in Advance of Issuance
Completion of any part of the summons prior to the time of actual issuance is prohibited by this instruction.
- C. Request for Nullification of N.Y.C. Universal Appearance Ticket, Which Have Not Yet Been Processed Through an Adjudicating Agency
 1. Mutilated and Unservable Universal Appearance Tickets
 - a. All four parts of the N.Y.C. Universal Appearance Ticket, which are mutilated or otherwise rendered unusable, will be forwarded to the facility commanding officer with a handwritten report of the circumstances from the officer having possession of same.
 - b. The facility commanding officer will investigate the circumstances regarding the damage to the Universal Appearance Ticket and will forward a report of his investigation appended to the complaint copy to the Superintendent of Police. The remaining copies will be filed at the reporting facility.
 2. Improperly Prepared Universal Appearance Tickets
 - a. Enforcement Officials have no authority to make changes in complaints. If an Officer notices he has made an error in preparing the Universal Appearance Ticket, he shall not cross out or erase any information nor serve same, but make a new correct Universal Appearance Ticket and serve.
 - b. The tour commander will be promptly notified. He shall interview the officer concerned after which he will submit a report to the facility commanding officer outlining the facts and circumstances relative to the incident. He will also instruct the officer involved to prepare a Handwritten Report to the commanding officer, attaching all copies of the summons thereto.
 - c. The complaint copy of the Universal Appearance Ticket containing the error will be marked "VOID" across its face.
 - d. All four (4) voided copies of the Universal Appearance Ticket containing the error will be forwarded to the facility commanding officer without delay. Attached thereto will be those reports submitted as specified in item 2b above.
 - e. The facility commanding officer will, after investigating the matter, forward a report of his investigation and recommendations the complaint (white) and the hard (buff) copy

of the ticket together with copies of any other reports submitted, to the Superintendent of Police, as soon as it is practical.

- f. The remaining yellow and blue copies will be filed at the facility of occurrence.

3. Lost New York City Universal Summonses

- a. A member of the force who loses a N.Y.C. Universal Appearance Ticket in his possession will immediately submit a handwritten report containing all the circumstances to his facility Commanding Officer.
- b. The facility commanding officer, after investigation of the facts and circumstances, will forward a report of his investigation and recommendations to the Superintendent of Police, along with a copy of the officer's statement.

4. Summons Log Entries and Correspondence

- a. The word "voided" will be entered in the summons log, Form 1768, under the column Date Served (and in the police blotter when necessary) to account for all mutilated, improperly prepared and lost Universal Appearance Tickets.
- b. The Superintendent of Police will prepare all correspondence to the Director Counsel, Parking Violations Bureau relating to nullification of mutilated, improperly prepared and lost Universal Appearance Tickets.

D. Procedure - Parking Meter Universal Appearance' Tickets

1. Testing the Meter - Allegation Faulty Meter

During the service of a Universal Appearance Ticket at a parking meter, or subsequent to its service, if a motorist states that the meter is defective, the Officer will test the accuracy of the meter in the presence of the violator by inserting a coin to verify that the meter is active and that the flag moves to its full time limit.

2. Defective Meter

If the test proves the meter is defective, the following will apply:

- a. The summons will be completed by the issuing officer and issued. The recipient of the ticket shall be advised to mail the ticket to the Parking Violation Bureau. A "Not Guilty due Broken Meter" plea should be entered on the reverse side.
- b. Immediately notify the facility Police Desk, where an entry will be made in the parking meter log indicating the meter number, time and the fact that the meter was placed out of service. Place a printed sticker, PA. Form 2701, over the meter coin slot, to alert the public that the meter is out of service.

- c. The officer concerned will submit a handwritten report to the Commanding Officer, containing all the particulars, including identification of the person served.
- d. The Parking Violations Bureau will correspond with the facility concerned to obtain verification of alleged defective meters.

E. Records Keeping

It is imperative that the facilities keep accurate records of meters out-of-service and other unusual circumstances pertaining to summonses issued since there is usually a time lapse between issuance and the correspondence received relative to the incident.

F. Additional Information to be placed on the Universal Appearance Ticket

1. In addition to the normal information written on the ticket, an entry will be made on the left hand side of the complaint copy between the perforated line and printed captions as follow:
The issuing officer's 1.st initial, last name, squad, & vacation date, i.e.:
W. Farrell, Sqd. 6, 1/15/75 to 1/21/75.
The entry will start opposite the "A" box and must not extend beyond "0" in the offense caption:
Since the defendant's copy (5th copy) is used by the courts for scheduling court dates in the event of a Not Guilty plea, the above information must be legible on the 5th copy before service.
2. In the "place of occurrence" space, insert the facility designated, e.g.:
HT for Holland Tunnel.
3. If during the issuance of parking summons the operator of the vehicle is present, politely request to see his driver's license and fill in the name, address and license information in the proper boxes. If he refuses to present his license on a parking violation, disregard and serve in the normal manner.

G. Blank Complaints and A 246

The equipment Sgt., Police Division, has on hand blank complaints. These are to be used only when the court requests a duplicate. In this case, the facility copies will be referred to and a duplicate blank filled out by the equipment Sgt. and forwarded to the court by the Superintendent of Police.

IX. DEFECTIVE PARKING METERS - INSPECTION AND CONTROL

- A. Facility commanding officer will cause defective meters to be inspected and placed out of service by covering the meter coin slot with a printed sticker, PA Form 2701. The sticker will remain until it has been repaired.
- B. Vehicles will be permitted to park in defective meters, without cost, for the time normally permitted when meter is operative.
- C. The officer will record on PA Form 2700, the time and license number of any vehicle parked at a defective meter and on his return trip, if the vehicle

previously noted has exceeded the posted time limit, he will summons it "metered parking only", code g, 6831, McKinney's Unconsolidated Laws.

- D. The Universal Appearance Ticket will be served for overtime parking, only noting the actual time in the "Description of Traffic Offense". No mention of defective meter will be made in these cases.
- E. Each facility that has parking meters will maintain a Parking Meter Log. The log will list the meter number, time and date taken out of service and by whom time and date returned to service and by whom.

X. VERIFIABLE DEFENSE SUMMONSES

Summonses inadvertently issued to official vehicles which qualify for Verifiable Defense, will be processed according to existing procedures.

XI. RETURNABLE DATES.

One uniform returnable date has been established for Universal Appearance Tickets, returnable to the Criminal Court and the Department of Minor Vehicles Administrative Adjudication Bureau. Officers are not required to appear on the returnable date of the Universal Appearance Ticket. If your appearance is required by the A.A.B. or Criminal Court, Officers will be notified.

A. Facilities

The returnable dates scheduled for all tickets returnable to the Administrative Adjudication Bureau (Box B) will be established by the facility Commanding Officers. In addition a returnable date schedule will also be established for all tickets made returnable to Criminal Court (Box C). These two dates are not to coincide in order to prevent an officer from having to appear in Criminal Court and the A.A.B. at the same time.

No returnable date will be entered on Box "A" Parking Violations Summonses.

The following criteria will be followed in establishing such schedules:

1. The members of the force concerned will use the same returnable date for all tickets issued for a two (2) week period, i.e., one date for all Criminal Court tickets and one date for A.A.B. tickets.
2. The returnable date will be no less than twenty-four (24) days after the last date of service in the above two (2) week period.
3. The returnable data will be a weekday (Monday to-Friday, excluding holidays) on which the issuing officer is scheduled to work an 8 to 4 or 4 to 12 tour and is available to appear at either the Criminal Court or the A.A.B.

NOTE: Commanding Officers will make the appropriate schedule adjustments to provide for steady 1%-8 men to be in court at the appointed time.

4. Commanding Officers will vary the returnable dates among members of their command concerned in order that a minimum number of men

are scheduled for appearance on any one day to permit the Central Police Pool to cover.

5. When a predetermined date conflicts with the vacation of the issuing officer, he will use the returnable date for the next period of service in which he is available.
6. Universal Appearance Tickets returnable to the Criminal Court will be made returnable at 0900 hours. Tickets returnable to the A.A.B Box B will be 1400 hours.

B. Central Police Pool

1. Box "C" Criminal Court Appearances - Officers shall select a day at least 30 days from date of issuance that is either an 8-4 or 4-12 tour of duty (no holidays, Saturdays or Sundays). Appearance will be at 0900 hours. Continue using this date for court appearances as long as 24 days still remain from date of issuance to date of appearance. Your tour on this date will be 0900 - 1700 hours.
2. Box "B" Administrative Adjudication Bureau Appearances - Officers shall select a day at least 30 days from date of issuance that is a 4-12 tour and a scheduled work day (no Holidays, Saturdays or Sundays). Appearance will be at 1430 hours. Continue using this date for court appearances as long as 24 days still remain from date of issuance to date of appearance.

XII. GENERAL

A. Use of Port Authority Statutes

1. Motor vehicle violations, which occur on Port Authority property, must be charged under the appropriate Port Authority statute rather than under the Motor Vehicle Laws of the States-of New York or New Jersey nor under municipal traffic regulations.
Chapter 774 Laws of New York, 1950, will be used for tunnels and bridge motor vehicle violations.
Chapter 206 Laws of New York, 1951, will be used for air and marine terminal traffic violations.

B. Issuing Summonses to Buses

1. Since it is not the intent of -the Port Authority to penalize persona riding a bus, for an infraction of the law committed by the driver, any bus traveling an authorized route will not be delayed unduly by any member of the force who finds it necessary to issue a summons to the driver for a minor traffic violation.
2. The officer will obtain the driver's name, identification number and home address. The driver will be informed to stop on his return trip to receive the summons. He will be further info that failure to return will result in a call to his home and business, and that a summons will be issued at either location.

3. When the officer allows a driver to continue his trip without issuing a summons, as outlined above, the Tour Commander will be notified.
4. If it is determined that the operator is unfit to drive, or the vehicle is unsafe, the vehicle will be detained and the company involved notified to send another driver or vehicle, as the case may be.



I. INTRODUCTION

This instruction outlines the authority and procedures for issuance of:

1. Universal Summonses
2. NYC Desk Appearance Tickets

at Port Authority facilities in New York City in lieu of arrest. Summonses will be utilized in lieu of physical arrest to properly identified persons whenever possible, in strict compliance with the intent of the Criminal Justice System and the legal requirements for reasonably assuring the defendants appearance in court to answer the charges against him.

II. UNIVERSAL SUMMONSES IN LIEU OF ARREST

A. Background

By order of the Appellate Division of the Supreme Court, first and second departments concurred in by the New York City Police Commissioner, pursuant to Subdivision 8 of Section 57 of the New York City Criminal Court Act, a new rule 10 of the Criminal Court, relating to the issuance of summonses and methods of payment of fines with schedules moms adopted effective December 16, 1968.

This amendment also defines the authority of the New York City Police Commissioner in promulgating rules that effect the summons process as it pertains to the service of a Universal Summons by a peace officer. These rules and regulations, effective immediately, pertain to all peace officers as may be designated by the Police Commissioner, who are employed by various agencies within the City of New York and are empowered by law to issue this summons.

B. When a Universal Summons May Be Used

The New York City Police Commissioner pursuant to Rule 10 of Rules of Criminal Court of the City of New York has authorized members of the New York City Police force, special patrolmen appointed by him and other peace officers in the City of New York as he may designate, to serve a Universal Summons upon instead of arresting a PROPERLY IDENTIFIED PERSON, at least 16 years of age, who commits any of the offenses listed on appendices attached, BELOW THE GRADE OF A FELONY in New York City.

Exception: A Universal Summons must not be issued in lieu of arrest, when the offender is unable to care for himself because of injury, illness or intoxication.

NOTE: Appendices A, B, C, and D list the traffic and other offenses for which Universal Summonses may be issued, as well as the .14 misdemeanors or violations of the Penal Law.

C. Guidelines for Establishing a "Properly Identified Person"

When an arrest for a summonsable offense other than traffic violations, is brought to the attention of the Tour Commander, involving a person whom is apparently law abiding; the Tour Commander shall determine what documentary proof of identification the defendant possesses.

Items such as: driver license, company identification cards, valid credit cards, military service identification cards, etc., are normally useful indices of identity. When the Tour Commander is satisfied with the evidence of identification, he may direct the issuance of the Universal Summons in lieu of a Desk Appearance Ticket or arrest.

D. Procedure for Filling Out the Universal Summons

Whenever a member of the force issues a Universal Summons for any offense, he must indicate on the summons the manner in which a plea of guilty may be entered by marking an "X" in the box corresponding to Instruction A, B, or C.

Whenever Box "A" is marked, to indicate that the plea may be made by mail, the officer must also indicate to the violator, the scheduled fine for the offense charged. This will be done by marking an "X" in the appropriate dollar amount box or, if no box is provided for the scheduled fine concerned, by writing correct dollar amount in the space marked OTHER. In traffic cases where a scheduled line is predetermined in accordance with Appendix "A" you must use Box "A" and indicate the amount of the fine. In no case will the offense be listed as ILLEGAL PARKING. It must be descriptive and tell what type of illegal parking is involved and the fine indicated.

When Box "B" or "C" is checked, no fine is to be indicated.

E. Court Appearances

In most cases the summoning officer will not be required to appear in court on the return date of a summons. His appearance will be required only on a plea of not guilty by the defendant in which case the court will notify the summoning officer and the defendant of the scheduled court date. Members of the force will comply with P.D.I. 6-4 (Court Appearances) when attending court.

F. Scheduling of Returnable Dates

In Manhattan, Part 7A has requested that none of these cases be scheduled on Thursdays due to the heavy court calendar.

You will make your returnable dates 15 to 19 days from date of issuance, excluding weekends, Thursdays or holidays, similar to the Traffic Swoons Control Bureau- schedule in P.D.I.6-1. At the New York airports, the

commanding officers will check with the proper part of the court to ascertain the returnable dates required.

G. G. Scheduling of Police Officers on Not Guilty Pleas

Since the police officer is not required to be present on the returnable date, a court appearance date must be scheduled by the court clerk. Should the defendant plead not guilty, in Part 7A cases in Manhattan the court clerk requires current copies of the work schedule of the summoning officers. Commanders, who will be using the universal summons for criminal violations other than traffic, will insure that officers supply current work schedules to the court clerk. This is required to minimize the court clerk scheduling trial dates, which would conflict with the police officer's regular days off.

At the New York airports, the Commanding Officers will communicate this information to the clerk of the court in Queens where the summonses are returnable.

H. Manifesting of Summons Papers

On Manhattan cases the summons papers must be manifested and made returnable to Park 7A at 52 Chambers Street, New York City, New York. They will be placed in a white envelope, PA 3005; with the transmittal form PA 1711A picked up by the summons courier and delivered separately by the summons courier to the proper part of the court.

Summonses issued at New York airport facilities for these types of violations will be manifested as above and forwarded as per existing procedures to the proper part of the Queens Court.

I. Processing of Summonses used for Criminal Violations

1. Facility Serial Numbers

Facility serial numbers for all Universal Summonses used for Traffic Offenses or Criminal Violations, will continue with the present system of starting with the number 0001 on January 1 of each year.

In preparing the PA 1711A (Summons Record & Report), on criminal cases only, the Complaint Report number will be placed along side the "location" on the extreme right side margin; e.g. 439-75, for cross reference purposes.

2. PA Form 74A - Summons Record

A When an officer issues a New York City Summons in lieu of arrest, he will prepare a PA 74A, in duplicate. The copy will be filed at the facility in sequence of facility serial number. The original will be forwarded to the Police Division Crime Analysis Section for the master file.

B PA 74k, Summons Record, is controlled and identified in the following manner:

- 1 Each 74A is assigned to a facility serial number at the time of its preparation.
- 2 Numbers run in numerical order beginning with the first case reported each year and are prefixed by the letter "P" constituting the code designation for Universal Summonses issued for violations of the Penal Law. The suffix to the case number indicates the year in which the report was prepared, i.e. P209-75 would indicate this to be the 209th form 74A 'recessed by the facility concerned, in the year 1975.

3. Summons - Agency Copy(s)

The issuing officer will record the facility serial number on the front, upper, right-hand side of the agency copy(s). Agency copies of summonses served for criminal violations should be filed separate from those summonses issued for traffic violations for easy reference. The hardcopy will be filed in order of the facility serial number and the yellow copy will be filed in alphabetical order thus providing a cross-reference.

4. Responsibilities of Desk Officers

The desk officer on the 12 midnight to 8 AM tour of duty completes and signs the PA 1711A "Summons Record and Report" for all summonses issued for criminal offenses. All summonses listed numerically on the form are placed in a large WHITE envelope, PA Form 3005, sealed, addressed and:

- a. At all New York Facilities except those located on Staten Island, summonses are forwarded to

Summons Part, New York County
346 Broadway, New York, N.Y. 10013

- b. At Staten Island Bridge facilities, forwarded to the proper part of the Richmond County court

Page 1 (white) of PA Form 1711A is retained at the police desk as a record of summonses forwarded, in a POST BINDER. Page 2 (yellow) will be forwarded to the Police Division Crime Analysis Section. Pages 3 and 4 may then be discarded.

5. Police Division - Crime Analysis Section

It will be the responsibility of the Crime Analysis Clerk to compare PA Form 74A received against those summonses recorded on PA 1711A after which these forms will be filed.

6. Court Appearances

Officers are required to complete PA 74A on all court appearances printing "Follow-Up" on the reverse side of both copies. These follow-up copies are to be distributed in the same manner as the original PA 74A.

7. Numberin7 System on PA 1711A

Each sheet of the PA 1711A is prenumbered and should be used in sequence. When ordering from the stockroom, order in units of 100 so that the serial numbers in the Post Binder will run in sequence.

III. DISPOSITION OF CASES

The dispositions of criminal cases are required to be forwarded to the criminal record section on a Criminal Complaint Report follow-up report. The court has indicated that it cannot notify us of the dispositions of summonsable cases. The court clerk has suggested a procedure, which is followed by other departments utilizing the universal summons. It is recommended that Commanding Officers follow this basic procedure or make other arrangements to obtain these dispositions from the court, on cases where the summoning officer does not appear.

Procedure

Monthly or more often if required a clerical man will go to the court to search the court records for dispositions. At the time that he obtains these dispositions, he will also be able to determine the number of cases in which there has been no appearance for the previous 30 days. He will contact the warrant officer of the court to determine what action the court has taken to bring the defendant before the bench. Where a warrant has been issued, cooperation will be extended to the warrant officer in executing the warrant for persons who fail to appear on summonsable cases issued by a member of the force.

APPENDIX A

UNIVERSAL SUMMONS USE OF BOX A

Where the violator can plead guilty by mail.

BOX "A" Traffic Cases returnable in Part 5 "Traffic"

<u>VIOLATION</u>	<u>SCHEDULED FINE</u>
Double Parking	\$25
Fire Hydrant	\$35
Fire Zone Parking	\$35
Parking Meter Violation (N.Y. Airports)	\$10
All other Parking Violations	\$15
 All other traffic infractions (Excluding those described in Appendix "B" and any arrest cases required to be heard in Part I) e.g.: Drunk Driving, Driving while impaired, Leaving Scene, Dangerous Cargo Cases.	 \$15

Box "A" Non Traffic cases returnable in Part 6 or 7 "Non Traffic"

VIOLATION - Violations of Port Authority and State Laws, where the fine is specifically scheduled in the law. The amount of the fine must be entered on the summons in the appropriate box.

APPENDIX B

UNIVERSAL SUMMONS USE OF BOX B

Where the fine may vary and defendant may answer by mailing in summons form.

Box "B" Traffic Cases returnable is Part 5 "Traffic"

VIOLATION - Speeding, Unlicensed Operator (Late renewal only)

Box "B" Non Traffic Cases returnable in Part 6 or 7 "Non Traffic"

VIOLATION - Violations of PATH Rules & Regulations 2 through 7, Chapter 665 Laws of New York 1964 and any other violations where the fine is not specifically scheduled but does not exceed \$15.

Violations of Administrative Code 775 (4) 2.0 Sub B or C (Stripping of Vehicles).
Exception: Richmond makes returnable in Part I or Criminal Court. (Memo dated September 30, 1969).

APPENDIX C

UNIVERSAL SUMMONS USE OF BOX C

Where defendant must appear to answer charge.

BOX "C" Traffic Cases returnable in Part 5 "Traffic"

VIOLATION - All Traffic Violations and Traffic Misdemeanors not included in Appendix A and B. EXCEPT arrest cases listed below:

1. Leaving Scene
2. Motor Vehicles engaged in Transportation of Dangerous Articles
3. Operating a motor vehicle with a license obtained in violation of section. 392 NYS Motor Vehicle and Traffic Law.
4. Any violation of 392A or NYS VTL
5. Any violation of 421, 422, 423 and 426 of NYS VTL pertaining to stolen and altered motor vehicle.
6. Drunk Driving and Driving while impaired

BOX "C" Non Traffic cases returnable in Part 6 or 7 "Non Traffic"

VIOLATION - Violations of PATH Rules & Regulations Number 1, "Smoking", Chapter 665 Laws of New York 1964.

Violations of Chapter 142 Laws of New York 1953. "Smoking at Air & Marine Terminals".

Violations of Administrative Code 775 (4) 2.0 Sub E or F (Stripping of Vehicles).
Exception: Richmond make returnable in Part 1 of Criminal Court. (Memo dated September 30. 1969)

APPENDIX D

UNIVERSAL SUMMONS USED FOR A MISDEMEANOR OR VIOLATION OF THE FOLLOWING SECTIONS OF THE NYS PENAL LAW:

1. 145.30 Unlawfully posting advertisement
2. 165.15 Sub 3 Evasion of payment of fare bus, train, and etc.
Sub 4 Evasion of payment of telecommunication service (Tampering)
Sub 5 Evasion of payment of metered services (Tampering)
3. 170.55 Unlawful use of slugs in coin machine
4. 195.10 Refusing to aid a peace officer
5. 230.05 Patronizing a prostitute
6. 195.15 Obstructing fire fighting operations
7. 240.25 Sub 4 Engages in conduct commonly called hazing (Harassment)
Sub 5 Harassment by conduct which alarms or seriously annoys
8. 240.35 Sub 5 Loiters about a school
Sub 7 Loiters or remains in Transportation Facility for soliciting
Sub 8 Loiters, remains or sleeping in a Transportation Facility
9. 240.50 Falsely reporting an incident
10. 245.01 Exposure of female (breasts must be covered by opaque covering)
11. 245.02 Promoting the exposure of a female
12. 245.05 Offensive exhibition
13. 260.20 Sub 1 Unlawful admission of child under 16 to pool hall, bowling alley or place where alcoholic beverages are present
14. 270.10 Creating a hazard
15. 221.05 Unlawful Possession of Marihuana (25 grams or less)

NOTE: The above 14 crimes are also listed as eligible for release on a DESK APPEARANCE TICKET at the facility, or at the local N.Y.C. Precinct

This gives the Tour Commander, in these cases, the discretion to:

1. Authorize use of a Universal Summons for a "PROPERLY IDENTIFIED PERSON"
2. A Desk Appearance Ticket
3. Authorize a physical arrest when none of the conditions for release on a summons can be met.



DESK APPEARANCE TICKETS

A. Background

Desk Appearance Ticket cases eliminate the immediate court appearance of a member of the force, reduce the costs of detention and transportation and permit better scheduling of court appearances. The interval of time between the issuance of the D.A.T. and the court appearance permits the defendant to obtain counsel and prepare his case, and thereby reduces the total number of court appearances on each case.

The complainant is afforded the opportunity to make provision for his court appearance and eliminates the often inconvenient immediate trip to the Criminal Court to sign the necessary affidavits.

The basis of the Desk Appearance Ticket is the belief that persons with certain demonstrable roots in the community may be relied upon to appear voluntarily in compliance with a D.A.T. in lieu of arrest. To objectively measure these factors, the defendant, with his or her consent, is interviewed at the facility. The information obtained, subject to verification, is weighed, using a point scale system and if minimum standards are met, the person arrested may be considered for release by the Port Authority Superior Officer after telephone consultation with the New York City Precinct Desk Officer and a Desk Appearance Ticket is issued.

B. Authority for Issuance

New York City Police Department T.O.P. 456 of 1968, 456-1, 2, 3 of 1969 and New Court Pula 10, issued by the Appellate Division has granted authority to use and issue Desk Appearance Tickets at our facilities. Commanding Officers will determine, based on their operational requirements, whether or not they wish to use this procedure or bring the prisoner to the New York City Precinct for handling. If they use this procedure, they will coordinate with the local Precinct Commander before instituting same and cite this authority for its use.

C. Policy

Persons arrested for any DIMSDEMBANOR OR VIOLATION, with the exception of:

1. Those misdemeanors and violations listed in Section 940, Code of Criminal Procedure;
2. Violations for which the Precinct Desk Officer is not authorized to accept bail or give personal recognition;

must be informed that upon consenting to an interview, they may be released on a Desk Appearance Ticket in lieu of being detained. This procedure must be followed regardless of the fact that arraignment court is in session.

Note: As a guide, Appendix A is attached, showing the following:

- The crimes for which release on a Desk Appearance Ticket is NOT authorized.
- Listing of every misdemeanor and violation in the Penal Law for which release on a Desk Appearance Ticket is authorized.

The above procedure is NOT required in the case of violations of law, which currently are handled by use of the UNIVERSAL SUMMONS.

D. PROCEDURES

1. Waiver of Interview

Persons unfamiliar with the criminal justice system may easily be dissuaded from consenting to a Desk Appearance Ticket Investigation, thinking it would be better to go directly to court. To prevent this, Tour Commanders and Desk Sergeants shall, in any case in which the defendant indicates that he does not wish to be considered for a D.A.T. fully explain to the defendant that if he elects to go to court, he may be held in bail until the case is disposed of. In all such cases, the Tour Commander shall personally determine that the defendant is aware of the opportunity to receive a Desk Appearance Ticket in Lieu of detention.

When an arrest for one of the offenses listed in Appendix A is brought to the attention of the Tour Commander or Sgt. involving a person who is apparently normally law abiding, the Tour Commander or Desk Sergeant shall determine what documentary proof of identification the defendant possesses. If the Tour Commander or Desk Sergeant is satisfied with the documentary evidence, he may direct the issuance of a Desk Appearance Ticket without the necessity of requiring the conducting of a D.A.T. investigation.

In such cases, the issuing officer shall record the nature of the documentary evidence on the D.A.T. investigation report in lieu of conducting the entire investigation.

NOTE: Current procedures governing the issuance of Desk Appearance Tickets do not mandate verification. If the Tour Commander or Desk Sergeant and the investigating officer are satisfied that the information given by the defendant is apparently true, a D.A.T. may be authorized without verification. Particular attention must be paid to any documentary evidence offered by the defendant in establishing his identity. Items such as: drivers license, company identification cards, valid credit cards, military service identification cards, etc., are normally useful indices of identity and may be accepted in lieu of Desk Appearance Ticket verification.

2. When interviewed

To conserve time, Tour Commanders shall interview the following persons initially when brought to him, and shall authorize complete investigation only

for those whom he believes stand a reasonable chance of meeting the criteria:

- A. Persons arrested for:
 - Sec. 240.20 PL Disorderly Conduct
 - Sec. 240.25 PL Harassment
 - Sec. 240.30 PL Aggravated Harassment
 - Sec. 240.35 PL Loitering (except Subd. 3)
 - Sic. 240.43 PL Criminal Nuisance
- B. Persons who are admitted current narcotics users.

3. Mass Arrests.

Where large numbers of persons have been arrested, as in the case of demonstrations, the conducting of the Desk Ticket investigation may prejudice the rights of the defendants by delaying their arraignment. Therefore, the interview for release on the New York City Desk Appearance Ticket may be waived by the Tour Commander, if the arraignment court is in session.

In addition, where a demonstration is conducted at a public or private location in which the defendants are all connected with such a location, e.g. Employees of a company at whose place of business the demonstration took place, the interview for release on the desk ticket may be waived by the Tour Commander and the desk ticket issued, to the defendants without investigation, provided they are properly identified and the likelihood of their returning to the scene does not exist.

4. Waiver of Investigation

Whenever a summons investigation is waived, such as in Paragraph 1, 2, 3 or if the defendant refused an interview, entry must be made in the Police Blotter, on the Criminal Complaint Report, and the New York City Police Department U.F.4 (Arrest Report), Remarks Section.

5. Facility Desk Procedure

- A. When a prisoner, charged with a crime for which a desk summons may be served, is brought to the police desk or other authorized facility location in New York City, when the desks are located in New Jersey, the Tour Commander will inform the defendant that he/she can submit to an interview and upon qualifying may be released with a summons in lieu of the normal arrest procedure.
If the defendant consents, the identification interview shall be conducted by the arresting or other assigned officer.
- B. The member of the force conducting the interview shall make the necessary BCI name check, through the Central Police Desk and the local facility records and in the case of a minor, through the Central Police Desk to the Youth Records Section of the Central Records Office of the New York City Police Department.

- C. After the summons investigation/interview is completed, the completed form with the officer's recommendation will be given to the Tour Commander.
- D. The Tour Commander will consider the recommendation in making his determination on whether to issue a desk appearance ticket or detain, however, he is not bound by this recommendation. In making his determination, the Tour Commander must consider all factors; e.g. Circumstances, Previous Criminal Records, etc.
- E. A defendant will be considered eligible for the issuance of a desk appearance ticket if he/she:
 - 1. Attains a minimum of 5 points on the investigation form.
 - 2. Is not incapacitated due to intoxication or injury (see par.5 for Hospitalized Prisoners).
 - 3. Is not an admitted current narcotic user.
- F. If the defendant qualifies, the Tour Commander will telephone the favorable recommendation to the New York City Precinct Desk Officer, identifying the defendant, naming the charge, number of Points scored in the investigation, the results of the name check and whether or not verification was conducted. The Precinct Desk Officer shall consider the recommendation of the Port Authority Superior/Tour Commander, and will either approve or disapprove the service of the desk appearance ticket at the facility.
 - 1. When disapproved, the defendant must be taken to the-Precinct for booking. When approved, the Precinct Desk Officer will give the Port Authority Superior the Precinct control number and his name and rank, to be placed on the desk appearance ticket.
- G. When authorization and Pct. Control no. is obtained, the D.A.T. (Appendix B) will be prepared by the arresting officer and served on the defendant. The following returnable dates will apply in these cases.
 - 1. The Desk Appearance Ticket will be made returnable at 9:00 AN anytime within 21 days of the date of service, after consultation with the Tour Commander, who will take in the following considerations:

The officers duty chart -- it must be a working day and preferably an 8-4 tour to prevent tour changes.

Previous court appearances or other commitments of the officer for the day of return.

Returnable-dates of other D.A.T.'s for the officer within the 21-day period. (Attempt will be made to make as many returnable on the same date to the same part of Criminal Court to permit proper utilization of court appearance manpower).

Request of the civilian complainant, if any, may be taken into consideration in determining the returnable date. However, the civilian

complainant will be instructed to appear at the proper court on the return date, where he must meet the arresting officer to sign the Information-Complaint.

2. All arrests, including arrests which result in defendants being issued Desk Appearance Tickets, will be arraigned in the arraignment part of the Criminal Court, except as follows:

- a Arrests and Desk Appearance Tickets issued to defendants for family offenses, as defined in Section 812 of the Family Court Act, will continue to be arraigned in Family Court.
- b Desk. Appearance Tickets issued for all misdemeanors will be made returnable to the arraignment part of the Criminal Court, Part 5. The unnumbered Universal Summons Affidavit will no longer be utilized in these cases. Arresting officers will be required to appear in court on the return date to prepare the court complaint.

Police Officers effecting arrests for Peddling, which result in defendants being issued Desk Appearance Tickets, returnable in Part 7, will not be required to appear in court on the return date. In these cases, the court complaint will be prepared on an unnumbered Universal Summons Affidavit.

- c Prisoners who are 19 years of age or over -- Part 1 of the Criminal Court. Prisoners who have reached the age of 16 but have not reached the age of 19 and their co-defendants -- Part 3 of the Criminal Court.
- d D.A.T.'s may be made returnable to Part II of the Criminal Court (Night Court) on the date of issuance only, when there are codefendants in the arrest and one or more of them have been determined ineligible. Those determined eligible may be issued the summons, returnable that night in Part II, where all the co-defendants will be arraigned at the same time.

H. Preparation of Desk Appearance Tickets

The Desk Appearance Ticket will be prepared in triplicate. The original will be delivered to the Precinct desk officer for forwarding to the Criminal Courts, unless the summons is made returnable in Part II (Night Court) on the same day or is made returnable within 3 days. In this case the original shall be retained by the summoning officer who will appear in court. The duplicate will be given to the defendant. The triplicate is to the facility police files to be attached to the Criminal Complaint Report (PA 2113). Both the issuing officer and the defendant must sign all copies. In addition, the defendants address, apartment number and residence borough must be included with the defendant's name on the first line of the summons.

In the box captioned "Serial Number" the New York City Precinct control number will be entered. In the box captioned "Precinct" the New York City Precinct number will be entered. In the box captioned "Arrest Number" the New York City Precinct Arrest Number will be entered. In the box captioned "Issued By" the name and command

(PABT) of the arresting/issuing officer will be entered. Across the top above the caption "City of New York" print, type or use rubber stamp captioned "Port Authority." The rest of the boxes are self-explanatory.

I. Facility Blotter Entries

Regular Criminal Complaint Blotter entries for an arrest are to be made with the addition of the Port Authority Arrest number, Desk Appearance Ticket number assigned by the New York City Police Department, returnable date of the summons and name of the New York City Police Department Desk Officer authorizing issuance.

J. Forwarding of Papers to the New York City Precinct

In cases in which Desk Appearance Tickets have been served, the following will be delivered to the desk officer of the New York City Precinct concerned, no later than 2:00 PM for summons served prior to that time and no later than 11:00 PM for summonses served after 2:00 PM or other arrangement made between the Precinct concerned and the facility Commanding Officer.

1. Completed Summons Investigation Report (Form #357-NYCPD'
2. Completed New York City UF 4 and UF 5's (NYCPD Arrest Cards)
3. All evidence pertaining to the case with completed Property Clerk Vouchers. (MIS Property Clerk Voucher - PC #1 Rev. 4/67)
4. The original signed Desk Appearance Ticket.

K. Preparation of other Forms; Summons Issued in Lieu of Arrest Procedure

1. The word SUMMONS will be written across the face of the UP 4 and OF 5 and PA arrest card (PA 2641) and the Criminal Complaint Report (PA 2113).

NOTE: A rubber stamp may be used in these cases.

2. Where property (evidence) is involved, a New York City Police Department property clerk voucher (PC 1 - Rev. 4-67) must also be prepared at the facility desk.

In preparing same, when listing property, always list money first, then personal property, and finally general property.

Insert an extra green copy with a carbon under Page I of the tear-apart form for the New York City Precinct and Xerox a copy to be filed with the facility copy of the Criminal Complaint Report.

When the voucher is turned in at the New York City Precinct with the property, fill in the voucher number on the Xerox copy.

3. All other forms required for all regular arrest cases and procedures will be complied with.

L. Court Appearance

Except where specifically excused, a member of the force issuing a Desk Appearance Ticket will appear in court on the return date of the summons.

The only exceptions to this rule are as follows:

When a hospitalized prisoner is issued a Desk Appearance ticket by other than the arresting officer, the issuing officer need not appear on the return date. However, notification will be made to the command of the arresting officer and he shall appear on the return date of the summons.

A member of the force issuing a Desk Appearance Ticket on which his appearance on the return date is required, may, at any time prior to the return date of the summons, appear in the complaint room of the Criminal Court, county concerned, and prepare the court complaint on this case. He will then take the completed complaint, without docketing, to the clerk in charge of Part 1A(1B in the Bronx) of the Court, who will swear the complaint and accept it from the officer. The officer will provide the court clerk with several recommended adjournment dates for the case, in accordance with P.D.I. 6-4. In these instances, the officer need NOT appear in court on the return date of the ticket and will notify the facility desk officer to delete the court appearance notation from the facility diary. A member of the force may not utilize this procedure if the case is one in which a civilian complainant must also appear on the return date, but must appear at the same time as the complainant

Officers with pending Desk Appearance Ticket cases who are required to appear in court on other cases prior to the return date of the Desk Appearance Ticket, will be directed to prepare the complaint on the desk ticket immediately after their court appearance has been completed.

If at any time prior to the return date of a desk ticket in a case in which the officer must appear, the officer becomes aware of his inability to appear on the return date, the Commanding Officer will be notified and he will make provision for the officer to appear at the complaint room for the preparation of the complaint prior to the return date.

To insure a court appearance, an entry will be made on the proper page of the facility diary on the date of issuance, indicating the appearance. Where' a member of the force is unable to appear on such date, the provisions of P.D.I. 6-4, Paragraph VI, C, will be strictly complied with.

On the returnable date, the officer will pick up the original copy of the Desk Appearance Ticket from the Court Clerk, before appearing in the complaint room. This procedure serves to notify the court clerk that the issuing officer is present and eliminates unnecessary notifications.

6. Summoning of Hospitalized Prisoners

When arrest is made for a misdemeanor or violation summonsable under this procedure, and the prisoner is injured or hospitalized, the prisoner may be issued a summons for the charge, provided that the injury does not affect his mental capacity or otherwise impair his ability to accept service of the summons.

A hospitalized prisoner, who because of his injury was not qualified for a summons .at the time of his arrest, may be considered for a summons when he has sufficiently recovered from his injury and the attending physician so specifies. Commanding Officers will make arrangements to have the appropriate summonses issued in these cases, by the arresting officer.

7. Name Checks with the Identification Section

Regardless of whether or not the information obtained from the defendant is verified, a name check must be conducted on all defendants considered for a Desk Appearance Ticket.

Regardless of whether or not the information obtained from the defendant is verified, a name check must be conducted on all defendants considered for a Desk Appearance Ticket.

This will be handled in accordance with P.D.I. 5-2. The most important items of information required for the proper conduct of a name check are the following:

- Correct name and any alias used.
- Present address and previous addresses used during the past five years.
- Date of Birth.
- Any admissions of previous arrests made by the defendant.

Name checks will not be conducted until all other information has been verified. If it is evident that the defendant cannot qualify for the issuance of a summons, the name check will not be conducted.

When the name check indicates the defendant may possibly be a wanted person, the following action will be taken:

The Central Police Desk Sergeant will notify the Tour Commander of the affected facility with the information provided. Where the name check indicates that the defendant is possibly a wanted person, NO DESK APPEARANCE TICKET will be authorized, and normal arrest procedures must be followed. The arresting officer will notify the Precinct Desk Officer of this fact when he is booked and advise that the wanting agency has been notified by our Department.

8. Reports

Commanding Officers will exercise strict control of this procedure and will permit only Tour Commanders to operate under this procedure and will submit a report to the D.I. - Operations by the fifth of each month. Attention. Crime Analysis Section Clerk, in basically the following format:

- A. Total number of arrests for the preceding month for crimes, which are summonsable under this program.
- B. Total number of desk summonses served in lieu of arrest.
- C. Total number of cases in which summons investigations were waived pursuant to Par. 3 of Procedures in this order.
- D. Total number of persons refusing to be interviewed.

- E. Total number of cases where defendant was interviewed and failed to qualify.

NOTE: Total B, C, D, and E should equal total under A.

- F. Any suggestions for improvement in the system

M. CRIMINAL COMPLAINT REPORTS

P.D.I. 4-10, Par. V-A, B and C establishes when a criminal complaint is to be prepared. While certain violations of law may be bandied by use of a D.A.T. in lieu of arrest, the processing of a case by this manner does not relieve the officer from reporting on the Criminal Complaint Report and follow-up reports.

Whenever a Criminal Complaint Report is prepared and has been handled by use of a D.A.T., the word "SUMMONS" will be clearly stamped or printed across the face of the Criminal Complaint Report to indicate same, and D.A.T. serial number included in the narrative report.

APPENDIX A

DESK APPEARANCE TICKETS

The following Misdemeanors and Violations are referred to in section 940 of the Code of Criminal Procedure, and therefore are fingerprintable and ARE NOT SUMMONSABLE, and a Desk Appearance Ticket cannot be issued for these offenses.

1. Any offense, which would become a Felony if the person had been previously convicted of a crime:
 - a. Elective Franchise - Election Law, Article 16 previous conviction of any Misd. in Act. 16.
 - b. Sec. 265.10, Subd. 4. P.L. - Disposing of Weapon - previous of any crime.
 - c. Sec. 265.35, Subd. 1. P.L. • Use of imitation pistol - previous of any crime.
 - d. Transportation of Dangerous Articles by motor vehicle (Sec. 380 V.T.L.) • two previous convictions of same crime.
 - e. Driving motor vehicle or motorcycle while intoxicated or while the ability is impaired by use of a drug. (Sec. 1192, subd. 2) - previously convicted of same crime.
 - f. Sale or possession of illicit alcoholic beverage (Sec. 152 ABC Law) - previous conviction of same crime or Sec. 154, ABC Law.
 - g. Premises used for manufacture or storage of illicit alcoholic beverage (Sec. 154. ABC Law) - previous conviction of same crime or Sec. 152 ABC Law

2. Any of the Offenses listed in Section 552, C.C.P.:
 - a. Sec. 265.05 P.L. - Possession of Weapons and dangerous instruments and appliances (Class A Misd.)
 - b. Sec. 140.35 P.L. • Possession of Burglars Tools (Class A Misd.)
 - c. Sec. 165.40 P.L. - Criminal Possession of Stolen Property in the 3rd Degree (Class A Misd.)
 - d. Sec. 205.05 P.L. - Escape in the 3rd Degree (Class A Misd.)
 - e. Sec. 165.25 P.L. - Jostling (Class A Misd.)
 - f. Sec. 165.30 P.L. - Fraudulent accosting (Class A Misd.)
 - g. Subd. 3, Sec. 240.35 P.L. - Loiters or remains in a public place for the purpose of engaging or soliciting another person to engage, in deviate sexual intercourse or other sexual behavior of a deviate nature (Violation).
 - h. Sec. 260.10 P.L. - Endangering the Welfare of a child. (Class Misd.)

- i. All of the Offenses enumerated in Article 235. P.L.
- j. Sec. 125.60 P.L. - Issuing Abortional Article (Class B Misd.)
- k. Sec. 230.20 P.L. - Promoting Prostitution in the 3rd Degree (Class A Misd.)
- l. Sec. 230.40 P.L. Permitting Prostitution (Class B Misd.)
- m. The offenses enumerated in Article 130 P.L.
 - 1. 130.20 • Sexual Misconduct (Class A Misd.)
 - 2. 130.38 - Consensual sodomy (Class B Misd.)
 - 3. 130.55 - Sexual Abuse in the 3rd Degree (Class B Misd.)
 - 4. 130.60 - Sexual Abuse in the 2nd Degree (Class A Misd.)

NOTE: The remaining offenses in Article 130 are felonies and as such are not summons- able.

- n. The offenses listed in Article 220 Penal Law.
 - 1. Sec. 220.05 - Criminal Possession of dangerous drug in the 4th Degree (Class A. Misd.)
 - 2. Sec. 220.45 - Criminally possessing a hypodermic instrument (Class A Misd.)
- o. Illegal possession of rifle or shotgun by an adjudicated incompetent - Sec. 265.05 subd. 10 P.L. - (Class A Misd.)
- p. Illegal manufactories, transporting and/or disposition of pistol or ocher dangerous weapon - Sec. 265.10, subs. 1, 2, 5 and 7 P.L. - (Class A Misd.).
- q. Illegal use of pistol or other dangerous weapon - Sec. 265.35. subd. 2 and 4 P.L. (Class A. Misd.)
- 3. The misdemeanors listed in Article 225 Penal Law -
 - a. 225.05 - Promoting Gambling in the 2nd Degree (Class A Misd.)
 - b. 225.15 - Possession of gambling records in the 2nd degree (Class A Misd.)
 - c. 225.30 - Possession of gambling device (Class A Misd.)
- 4. Sec. 165.35 P.L. - Fortune Telling (Class B Misd.)
- 5. Sec. 230.00 P.L. - Prostitution (Violation)

The following Misdemeanors and Violations listed in the Penal Law ARE SUMMONSABLE and a D.A.T. may be issued.

Title G - Article 100 - Criminal Solicitation

- 100.00 Criminal Solicitation in the 3rd Degree (Violation)
- 100.05 Criminal Solicitation in the 2nd Degree (Class A Misd.)

Article 105 - Conspiracy

- 105.00 Conspiracy in the 4th Degree (Class B Misd.)

105.05 Conspiracy in the 3rd Degree (Class A Misd.)

Article 110 - Attempt

110.05 - Subd. 5, Attempt to commit a Class E Felony (Class A Misd.)

110.05 - Subd. 6, Attempt to commit a Misdemeanor (Class B Misd.)

Article 115 - Criminal Facilitation

115.00 Criminal Facilitation 2nd Degree (Class A Misd-)

Title H - Article 120-Assault and Related Offenses

120.00 Assault 3rd Degree (Class A Misd.)

120.15 Menacing (Class B Misd.)

120.20 Reckless Endangerment in the 2nd Degree (Class A Misd-) •

Article 125 - Homicide, Abortion and Related Offenses

125.50 - Self-Abortion in the 2nd Degree (Class B Misd.)

125.55 - Self-Abortion in the 1st Degree (Class A Misd.)

Article 135 - Kidnapping, Coercion and Related Offenses

135.05 Unlawful imprisonment in the 2nd Degree (Class A Misd.)

135.45 Custodial interference in the 2nd Degree (Class A Misd.)

135.60 Coercion in the 2nd Degree (Class A Misd.)

Title I - Article 140 - Burglary and Related Offenses

140.05 Criminal Trespass in the 3rd Degree (Violation)

140.15 Criminal Trespass in the 2nd Degree (Class A Misd.)

140.15 Criminal Trespass in the 1st Degree (Class B Misd.)

140.15 Criminal Trespass in the 1st Degree (Class A Misd.)

Article 145 - Criminal Mischief

145.00 Criminal Mischief in the 3rd Degree (Class A Misd-)

145.15 Criminal Tampering in the 2nd Degree (Class B Misd.)

145.25 Reckless Endangerment of Property (Class B Misd.)

145.30 Unlawfully Posting Advertisements (Violation)

Title J Article 155 - Larceny

155.25 Petit Larceny (Class A Misd.)

Article 165 • Other Offenses Relating to Theft

165.00 Misapplication of Property (Class A Misd.)

165.05 Unauthorized Use of a Vehicle (Class A Misd.)

165.15 Theft of Services (Class A Misd.)

165.20 Fraudulently Obtaining a Signature (Class A Misd.)

Title K - Article 170 - Forgery and Related Offenses

170.05 Forgery in the 3rd Degree (Class A Misd.)

- 170.20 Criminal Possession of a forged instrument 3rd Degree (Class A Misd.)
- 170.45 Criminal Simulation (Class A Misd.) -
- 170.55 Unlawfully Using Slugs in the 2nd Degree (Class B Misd.)

Article 175 - Offenses Involving False Written Statements

- 175.05 Falsifying Business Records 2nd Degree (Class A Misd.)
- 175.20 Tampering with Public Records 2nd Degree (Class A Misd.)
- 175.30 Offering a False Instrument for Filing 2nd Degree (Class A Misd.)
- 175.45 Issuing a False Financial Statement (Class A Misd.)
- 175.50 Presenting a False Insurance Claim (Class A Mind.)

Article 180 - Bribery not involving Public Servants and Related Offenses

- 180.00 Commercial Bribing (Class B Misd.)
- 180.05 Commercial Bribe Receiving (Class B Misd.)
- 180.50 Tampering with a Sports Contest (Class A Misd.)
- 180.55 Rent Gouging (Class B Misd.)

Article 185 – Frauds on Creditors '

- 185.00 Fraud in Insolvency (Class A Misd.)
- 185.0 Fraud Involving a Security Interest (Class A Misd.)
- 185.10 Fraudulent Disposition of Mortgaged Property (Class A Misd.)
- 185.15 Fraudulent Disposition of Property Subject to a Conditional Sale Contract (Class A Misd.)

Article 190 - Other Fraud

- 190.05 Issuing a Bad Check (Class B Misd.)
- 190.20 False Advertising (Class A Misd-)
- 190.25 Criminal Impersonation (Class A Misd.)
- 190.35 Misconduct by a Corporate Official (Class B Misd.)
- 190.45 Possession of Usurious Loan Records (Class A Mad-)
- 190.50 Unlawful Collection Practices (Class B Misd.)

Title L. - Article 195 - Official Misconduct and Obstruction of Public

- 195.00 Official Misconduct (Class A Misd.)
- 195.05 Obstructing Governmental Administration (Class A Misd.)
- 195.10 Refusing to aid a Peace Officer (Class B Misd.)
- 195.15 Obstructing Firefighting Operations (Class B Misd.)

Article 200 - Bribery Involving Public Servants and Related Offenses

- 200.30 Giving Unlawful Gratuities (Class A Misd.)
- 200.35 Receiving Unlawful Gratuities (Class A Misd.)

Article 205 - Escape and other Offenses Relating to Custody

- 205.20 Promoting Prison Contraband in the 2nd Degree (Class A Mind.)
- 205.30 Resisting Arrest (Class A Misd.)
- 205.55 Hindering Prosecution in the 3rd Degree (Class A Mind.)

Article 210 - Perjury and Related Offenses

- 210.05 Perjury in the 3rd Degree (Class A Misd.)
- 210.35 Making an Apparently Sworn False Statement, 2nd Degree (Class A Misd.)
- 210.45 Making a Punishable False Written Statement (Class A Misd.)

Article 215 - Other Offenses Relating to Judicial and Other Proceedings

- 215.10 Tampering with a Witness (Class A Misd.)
- 215.25 Tampering with a Juror (Class A Misd-)
- 215.30 Misconduct by a juror (Class A Misd-)
- 215.45 Compounding a Crime (Class A Misd-)
- 215.50 Criminal Contempt (Class A Misd.)
- 215.56 Bail Jumping in the 2nd Degree (Class A Misd.)
- 215.58 Failing to Respond to an Appearance Ticket (Viol.)
- 215.60 Criminal Contempt of the Legislature (Class A Misd.)
- 215.65 Criminal Contempt of a Temporary State Commission (Class B Misd.)
- 215.70 Unlawful Grand jury Disclosure (Class B Mind.)
- 215.73 Unlawful Disclosure of an Indictment (Class B Mist.)

Article 230 - Prostitution

- 230.05 Patronizing a Prostitute (Violation)

Title N - Article 240 - Offenses against Public Order

- 240.05 Riot in the 2nd Degree (Class A Misd.)
- 240.06 inciting to Riot (Class A Misd.)
- 240.10 Unlawful Assembly (Class B Misd.)
- 240.20 Disorderly Conduct (Violation)
- 240.21 Disruptions or Disturbance of Religious Service (Class A Misd.)
- 240.25 Harassment (Violation)
- 240.30 Aggravated Harassment (Class A Misd.)
- 240.35 Loitering (except subd. 3 which is in Sec. 552 CCP) (Viol.)
- 240.36 Loitering in the 1st Degree (Class B Misd.)

- 240.45 Criminal Nuisance (Class B Misd.)
- 240.50 Falsely Reporting an Incident (Class B

Article 245. Offenses Against Public Sensibilities

- 245.00 Public Lewdness (Class B Misd.)
- 245.01 Exposure of a Female (Violation)
- 245.02 Promoting Exposure of a Female (Violation)
- 245.05 Offensive Exhibition (Violation)

Article 250 - Offenses Against the Right to Privacy

- 250.10 Possession of Eavesdropping Devices (Class A Misd.)
- 250.15 Failure to Report Wiretapping (Class B Misd.)
- 250.20 Divulging an Eavesdropping Order (Class A Misd.)
- 250.25 Tampering with Private Communications (Class B Misd.)
- 250.30 Unlawfully Obtaining Communications Information (Class B Misd.)
- 250.35 Failure to Report Criminal Communications (Class B Mist.)

Title O - Article 255 - Offenses Affecting the Marital Relationship

- 255.00 Unlawfully Solemnizing a Marriage (Class A Misd.)
- 255.05 Unlawfully Issuing a Dissolution Decree (Class A Misd.)
- 255.10 Unlawfully Procuring a Marriage License (Class A Misd.)
- 255.17 Adultery (Class 13.Misd.)

Article 260 - Offenses Relating to Children and Incompetents

- 260.05 Non-support of a Child (Class A Misd.)
- 260.20 Unlawfully Dealing with a Child (Class B Misd.)
- 260.25 Endangering the Welfare of an Incompetent Person (Class A Misd.)

Title P - Article 265 - Firearms and Other Dangerous Weapons

- 265.10 Manufacture, Transportation, Disposition and Defacement of Weapons and Dangerous instruments and appliances (Class A Misd.) Except subd. 4.
- 265.25 Failure to Report Certain Wounds (Class A Misd.)
- 265.35 Prohibited Use of Weapons (Class A Misd.) Except subd. 1

Article 270 - Other Offenses Relating to Public Safety

- 270.00 Unlawfully Dealing with Fireworks (Class B Misd.)
- 270.03 Unlawful Possession of Noxious Material (Class B Misd.)
- 270.10 Creating a Hazard (Class B Misd.)
- 270.15 Unlawfully Refusing to yield a Party Line (Class B Misd.)

Title W - Article 400 - Licensing and Other Provisions Relating to Firearms

- 400.00 Licenses to carry, possess, repair and dispose of firearms - violation of (Class A Misd.)

In addition to the above, all Misdemeanors and Violations contained in other laws ARE SUMMONSABLE, with the exception of those referred to in Sec. 940, Code of Criminal Procedure, and the offenses listed in Chapter 11, paragraph 2.1 - Rules and Procedures of the NYC Police Department, which constitutes violations for which the Pct. Desk Officer is not authorized to accept bail or give personal recognizance.

APPENDIX E

EXCUSAL OF POLICE OFFICERS ASSIGNED TO CIVILIAN COMPLAINANT DESK APPEARANCE TICKET CASES. FROM APPEARING IN COURT ON THE RETURN DATE

In order to reduce the number of police officers required to appear in court for arraignment purposes, police officers assigned to civilian complainant arrests, which result in the issuance of a desk appearance ticket, will no longer be required to appear in court on the return date. Civilian complainants in such cases will be directed to report to the police superior officer of the court concerned, on the return date, for the purpose of preparing the complaint and swearing to it in court. Arresting officer complainant's and store detectives will be required to appear in court on the return date, to draw the complaint and process defendants through arraignment. However, arrests effected for peddling for which desk appearance tickets are issued shall continue to be processed in accordance with established procedures.

The procedure of excusing assigned police officers from appearing in court on civilian complainant-desk appearance ticket cases will be applicable to cases returnable to the various parts of the Criminal Court, the Family Court, and in all commands throughout the city.

Desk appearance tickets will be made returnable not less than ten (10) nor more than thirty five days, from the issuance date, other than Saturdays, Sundays or holidays, except in multiple arrest cases, where one or more defendants is deemed not eligible, desk appearance tickets issued to those defendants who qualify, will be made returnable to court (night, weekend, holiday or next-day session), at the same time that the other co-defendants are to be arraigned, in order to permit the arraignment of all co-defendants at the same time.

Desk appearance tickets will be made returnable at 0930 hours, except:

1. In the borough of Queens, civilian complaint - desk appearance ticket cases - returnable to the arraignment part of the criminal court, in cases where the assigned officer is excused on the return date, will be made returnable at 1800 hours. The officer assigned for the purpose of issuing the desk appearance ticket in these cases, will draw a line through the time of 9:30 a.m. on the desk appearance ticket and enter the time of 6:00 p.m. directly beneath it. The 6:00 p.m. return time will also be indicated on the "Court Appearance Instruction" form given to the civilian complainant.

Where the police officer is the complainant, the return date must be in accordance with the officer's duty schedule, as he will be required to appear in court on the return date. If an officer, assigned to a civilian complainant arrest, is required to appear in court on the return date, the return date must be in accordance with the assigned officer's duty schedule (see paragraph 7, for circumstances under which an assigned officer may be required to appear on the return date) Where the assigned officer is excused on the return date, the desk appearance ticket can be made returnable on a date convenient to the civilian complainant, other than Saturdays, Sundays or holidays, but within the 10 to 35 day time period.

For the purpose of this instruction, a civilian complainant is any person, other than a police officer, who alleges the commission of an offense and who upon arrest of the accused is required to swear to the truth of such allegation on a formal court complaint.

Therefore, effective immediately, whenever an arrest is effected on the basis of a complaint made by a civilian, and a police officer is assigned only for the purpose of taking the defendant into custody and issuing the desk appearance ticket, and the assigned police officer has no personal knowledge of the details of the case, such assigned officer will be excused from appearing in court on the return date. However, if in the process of effecting the arrest, and after the defendant has been advised of his rights, the defendant voluntarily makes statements or admissions to the assigned police officer relative to the offense charged, other than mere denial, such assigned officer may be required to appear in court on the return date. If in the opinion of the Tour Commander in the facility of arrest, the assigned officer has information which is material to prosecution of the case, or his appearance is otherwise necessary in court, he shall direct the assigned officer to appear in court on the return date.

When the assigned officer will be excused from appearing in court on the return date of a desk appearance ticket case, the civilian complainant will be directed to report to the police superior officer of the court concerned, on the return date. Such civilian complainant will be given the triplicate copy of the desk appearance ticket and a copy of the "Court Appearance Instruction-Form" (copy of which is attached to this order, with additional copies being supplied to commands concerned) This instruction form will be filled in by the desk officer and given to the civilian complainant, advising him of the date and time he is to appear in court, the location of the court and the specific room number in the court where he is required to report. In all other cases, the triplicate copy of the desk appearance ticket will be given to the police officer complainant, for presentation in court on the return date. In civilian complainant cases, the court superior officer will assign a member of his staff to assist the civilian complainant in having the court complaint prepared and docketed, and directing him to the part of the court in which the case will be arraigned.

In all civilian complainant - desk appearance ticket cases, in which the assigned officer will not appear in court on the return date, the assigned officer will prepare the following NYC forms, at the time of arrest, which will be stapled to the original copy of the appearance ticket and forwarded to the New York City precinct of arrest without any undue delay.

- a. Arraignment Card (301.1) one for each defendant
- b. Bench Warrant Report (Form 320) one for each defendant.
- c. Pre-arraignment/Arraignment Report (Misc. 333), two copies on each case (See paragraph 10, for preparation instructions)
- d. Non-Addict Report (CR-IN) one for each defendant (see paragraph 11 regarding Methadone patients)
- e. Arrest Disposition Report (PD 244-152) - (enter property voucher number if property is held as evidence) Forward original copy (see paragraph 14, for disposition of this form).

- f. Desk Appearance Ticket-forward original copy.
- g. In fingerprintable cases, attach Fingerprint Forms, Modus Operandi Pedigree Report, and JC 501.
- h. All pertaining Port Authority Police forms will be prepared by the arresting officer and forwarded to his commanding officer.

PRE-ARRAIGNMENT/ARRAIGNMENT REPORT (Misc. 333)

When an assigned officer in a civilian complainant desk appearance ticket case, is excused from appearing in court on the return date, such assigned officer, will prepare two (2) copies of the-pre-arraignment/ arraignment report (Misc. 333), more commonly referred to as the ARREST DATA REPORT. As the assigned officer will not be present in court to relate circumstances of the arrest to the assistant district attorney in the complaint room, it is essential that this form be properly and completely prepared. All required information will be filled in on the face of the form, including the defendant's telephone number and the home and business telephone numbers of the civilian complainant, and witnesses, if any.

1. Under the caption "Adjournment Dates," the assigned officer will list three dates on which he will be available if the court determines that his appearance is essential. In selecting available dates, the assigned officer should be guided by the following:
 - a. the first available date should be between one and two weeks after the return date;
 - b. the second available date should be between three and four weeks after the return date;
 - c. the third available date should be between five and six weeks after the return date.
2. As the court will utilize these dates in selecting adjournment dates for cases not adjudicated at arraignment, in which the assigned officer is required to appear on the adjourned date, it is essential that the officer select available dates on which he is scheduled to perform day duty. (Disregard suggested dates under items a, b, and c, of preprinted Misc. 333, as this applied to pre-arraignment processing).
3. On the reverse side of this form, after the appropriate captions pertaining to who witnessed or made the arrest and a description of the property entered, if any, the information required under NARRATIVE OF DETAILS will be filled in by the assigned officer. Specifically, the assigned officer should indicate how he became aware of the offense, (responded to a radio call, called by complainant, etc.; how evidence found, in whose possession, where and by whom; describe injuries to complainant, if any; give any statements or admissions made by defendant regardless of whether or not you believe them to be legally admissible). This information will be of additional assistance to the assistant district attorney prosecuting the case, and will be a determining factor on whether or not the assigned officer will be excused from subsequent court appearances. On the bottom of the form, the assigned officer will request excusal from subsequent court appearances and sign his name. The Tour Commander at facility of arrest will verify the completion of this form by signing his name and rank, directly beneath the assigned officer's signature.

METHADONE PATIENTS (Prepare Form NACC-CR-1)

If the defendant is a narcotic addict undergoing treatment at an authorized treatment center, the procedure outlined in the Criminal Procedure Law (N.Y.) will be complied with. If a desk appearance ticket is issued to such defendant in a civilian originated - desk appearance ticket case, the assigned officer will prepare NACC-CR-1 form, instead of the non-addict CR-IN, and forward it with the other forms indicated above.

STORE DETECTIVE - DESK APPEARANCE TICKET CASES

The above procedure will not apply to arrests effected by store detectives. Store detectives who are special patrolmen are authorized to issue desk appearance tickets and make all necessary court appearances in connection with the case. Store detectives who are not special patrolmen require that a police officer be assigned for the purpose of issuing the desk appearance ticket only. Such assigned police officer is not required to appear in court on the return date. Forms required to be prepared on store detective cases are prepared by the store detective when he appears in court.

PRESENTING EVIDENCE PROPERTY IN COURT ON CIVILIAN COMPLAINANT - DESK APPEARANCE TICKET CASES

Whenever a civilian complainant - desk appearance ticket case, involves property, which is required to be held as evidence, such property will be vouchred in the usual manner and forwarded to the borough property clerk as expeditiously as possible. If the evidence is subsequently required in court, the court superior officer will assign a member of his staff to secure the property from the property clerk on the date that it is required in court, unless the assigned officer is subpoenaed to appear, in which use the assigned officer will secure the property from the property clerk and present it in court.

- a. In the case where a police officer assigned to the court is required to obtain the property for presentation in court, the court superior officer will prepare a request on official letterhead (PD-158-151), addressed to the Property Clerk, identifying the property requested, the precinct voucher number, obtained from the arrest disposition report, and the police officer designated to obtain such property. The designated police officer will present this request to the property clerk and deliver the property to court as required.
- b. When the property is no longer required as evidence, the designated police officer will instruct the claimant to obtain a district attorney's release of the property. The designated patrolman will then accompany the claimant to the property clerk's office for return of the property to the claimant. If the property is still required to be maintained as evidence, the designated patrolman will return it to the property clerk and obtain a receipt for same.

**OBTAINING COURT DISPOSITIONS ON DESK APPEARANCE TICKET CASES
WHERE ASSIGNED OFFICERS ARE NOT REQUIRED TO APPEAR IN COURT.**

Since police officers assigned to civilian complainant - desk appearance ticket cases, will not be present in court to obtain final dispositions, the original copy of the arrest disposition report (PD 244-152) will be forwarded with the other forms indicated in paragraph 9, of this instruction. In cases involving property being held as evidence, the precinct voucher number must be entered on the form. The police superior officer in the court will cause this form to be docketed at the same time as the related complaint is being docketed. If the case is adjudicated at arraignment, the court superior officer will cause the disposition to be entered on the arrest disposition report, sign it, and forward it to N.Y.C.P.D. Central Records. If the case is not disposed of at arraignment, he will hold the docketed arrest disposition report in the police room until a final disposition is obtained, at which time he will enter the final disposition, sign it, and forward it to N.Y.C.P.D. Central Records.

INTRODUCTION

This instruction prescribes the procedure for the receipt, distribution, service and voidance of the New Jersey Uniform Traffic Summons.

I. NEW JERSEY UNIFORM TRAFFIC SUMMONS

The New Jersey Uniform Traffic Summons consists of four parts:

1. the Complaint printed on white paper;
2. the Police Record, which is a duplicate copy of the entire complaint and is printed on green paper;
3. the Officer's Copy, which is a duplicate copy of the entire complaint and is Printed on yellow paper;
4. the Summons, printed on white cardboard stock, which is a copy of the entire complaint.

II. RECEIPT OF NEW JERSEY UNIFORM TRAFFIC SUMMONS BY FACILITY

- A. Uniform Traffic Summonses that are received at a facility, will be recorded in numerical sequence in the Summons Log, Form 1768. Discrepancies, if any, will be brought immediately to the attention of the facility commanding officer.
- B. Any controls or receipting required by the municipality from whom the Uniform Traffic Summonses are obtained will be complied with,

III. DISTRIBUTION OF NEW JERSEY UNIFORM TRAFFIC SUMMONSES BY FACILITY COMMANDING OFFICERS

- A. Blank Uniform Traffic Summonses will be issued to police personae: upon verbal request by the facility commanding officer. At the time of receipt, the requesting officer shall sign for than in the space provided on the Summons Log, Form 1768.
- B. The quantity of "Uniform" Traffic Summonses issued to each individual is determined by the police commanding officer; however, the minimum issue of blank traffic tickets will be three per officer.
- C. Blank "Uniform" Traffic Summonses issued and remaining outstanding for a period designated by commanding officers are recalled and reissued to police officers normally requiring large quantities of traffic tickets.

IV. ISSUANCE OF "Uniform" TRAFFIC SUMMONS

- A. As soon as practical, an officer issuing a "Uniform" Traffic Summons to a violator calls the police desk with the following information: Name of police officer, Summons number and time served. This information is entered in the Police Blotter by the desk officer. If possible, he delivers to the police

desk the three remaining copies of the traffic summons within thirty minutes.

NOTE: The letters P.A. will be entered on all summonses after the officer's name. This will assist the N.J. Division of Motor Vehicles in identifying summonses issued by the Port Authority, Police

NOTE: This signing or partial completion of a summons prior to its actual issue is prohibited.

- B. The desk officer upon receipt of the "Uniform" Traffic Summons copies, prepares Summons Record, Form 74A, (personal service summonses only) from the information available thereon.
- C. The date on which a summons is served by a police officer is obtained from the copies and recorded in the Summons Log, Form 1768, which is maintained on a current basis. Local facility procedure will govern who is to post this information in the Summons Log.
- D. The Officers Copy (yellow) will be retained at the facility for further processing. The Complaint (white) and the Police Record (green) will be processed according to existing local procedures.

V. DISPOSITIONS OF ISSUED NEW JERSEY UNIFORM TRAFFIC SUMMONSES

Facilities will arrange to obtain dispositions of Universal Traffic Summonses in accordance with local agreements.

- A. Each month a memorandum listing all New Jersey "Uniform Traffic Summonses disposed of by the courts during the month will be prepared by the issuing facility. The Officers Copy (yellow) of each summons issued during the month, with the disposition noted on the back, will be forwarded along with the memorandum to the office of the Deputy Inspector-Operations by the 10th day of the following month.
- B. NOTE: At the Holland Tunnel and Newark Airport a computer print out of summons dispositions is supplied to the facility police unit by the local police dept. The print out accompanied by the officer's copy (yellow) and a letter of transmittal is forwarded to the New Jersey Motor Vehicle Bureau in Trenton, New Jersey by the N.I.A. and Holland Tunnel police units. A copy of the computer print out and the letter of transmittal are forwarded to the office of the Deputy Inspector - Operations.

VI. REQUEST FOR VOIDANCE OF NEW JERSEY UNIFORM TRAFFIC SUMMONS

- A. Mutilated and Unservable Traffic Summonses
 1. All four parts of the New Jersey Uniform Traffic Summons, which is mutilated or otherwise rendered unusable, will be forwarded to the facility commanding officer with a report of the circumstances.
 2. The facility commanding officer will investigate the circumstances regarding the mutilation or other damage to the Uniform Traffic

Summons and will forward a report of his investigation appended to the complete summons to the Deputy Inspector - Operations.

3. The word "void" will be entered in the Summons Log, Form 1768, under the column DATE SERVED to account for the summons.
4. All correspondence to outside agencies relating to voiding or otherwise unusable summonses will be prepared by the office of the Superintendent of Police.

B. Improperly Prepared Traffic Summons

1. Once an officer starts a summonses he has no authority to make change on the summons. If an officer notices that he has made an error in preparing the complaint part of a Uniform Traffic Summons, he should not cross out or erase any information but prepare a new summons and serve the summons part of the new summons on the violator.
2. A Xerox copy of the complaint part of the summons containing the error and the complaint part of the replacement summons will be made.
3. The reproductions of the complaint part of both summonses and a copy of the officer's statement will be forwarded to the facility commanding officer for investigation.
4. All four parts of the summons containing the error and a signed statement by the officer who prepared the ticket explaining the "void" summons, will be attached to the complaint part of the new summons and forwarded to the Court, after the commanding officer has completed his investigation.
5. The facility commanding officer, after investigating the facts and circumstances as to the "voiding" of the summons, will forward a report of his investigation together with the reproduction of the complaint parts and the officer's statement to the Deputy Inspector - Operations.
6. An entry will be made in the Traffic Sumas Log, Form 1768, to show that the voided summons was not served and the number of the summons served in its place.

VII. PARKING METER LOG

Each New Jersey facility, which has parking meters, will maintain a Parking Meter Log. The log will state the meter number, time and date taken out of service and by whom, time and date returned to service and by whom.

VIII. PROCEDURE - PARKING METERS r NEWARK AIRPORT

- A. Subsequent to the service of the Summons part of a Uniform Traffic Summons at a parking meter, if a motorist states the meter is defective, the officer will test the accuracy of the meter in the presence of the alleged violator by inserting a coin to verify that the meter is active and the flag moves to its full time limit. If the test proves the meter to be defective, the following procedures will prevail.

1. Advise the person who was served to mail the summons to Municipal Court, Part 6, City Hall Annex Building, Newark, New Jersey, Attention: Chief Clerk, with a letter explaining that the meter was defective and that it was reported to the police.
 2. Immediately notify the facility police desk where an entry will be made in the Parking Meter Log indicating the parking meter number and the fact that the meter was placed out of service.
 3. A notation that the meter was found to be defective will be made on the reverse side of the Police Record part and the Officer's Copy of the Uniform Traffic Summons.
 4. The Complaint part, Police Record part, and Officer's Copy of the summons, will be forwarded to the Facility Commanding Officer who will prepare a letter to the court verifying the fact that the meter was defective when the Summons part was served and requesting that it be voided. A copy of this letter will be forwarded to the Deputy Inspector - Operations.
 5. The word "void" will be entered in the Summons Log, Form 1768, under the column DATE SERVED to account for the ticket.
- B. If, while the Complaint part of a Summons is being prepared and the Summons part has not yet been served, the motorist states the meter is defective, the officer will test the meter in the presence of the alleged violator by inserting a coin to verify that the meter is active and the flag moves to its full time limit. If the test proves the meter to be defective, the following procedure will prevail:
1. Complete the Complaint part of the Summons as though the Summons was to be served.
 2. Immediately notify the facility police desk, where an entry will be made in the Parking Meter Log indicating the parking meter number and the fact that the meter was placed out of service.
 3. A notation that the meter was found to be defective will be made on the reverse side of the Police Record part and Officer's Copy of the Uniform Traffic Summons.
 4. Do not serve the Summons part but forward all four parts of the Summons to the Facility Police Commanding Officer with the pertinent information.
 5. The Facility Commanding Officer will investigate the incident and will forward all four parts of the summons together with a copy of his investigation to the Superintendent of Police.
 6. The word "void" will be entered in the Summons Log, Form 1768, under the column DATE SERVED to account for the ticket.

7. The Superintendent of Police will direct that all 4 parts of the summons be forwarded to the court together with a letter requesting that the ticket be voided.

IX. DEFECTIVE PARKING METERS

- A. Facility commanding officers will cause defective meters to be inspected and placed out of service by covering the meter coin slot with a printed sticker, Form 2701, which notifies the public that the meter is out of service. The sticker will remain on the meter until it has been repaired.
- B. Vehicles will be permitted to park in defective meter spaces, without cost, for the time period normally permitted when the meter is operating.
- C. The officer will record on Form 2701 the time and license number of any vehicle parked at a defective meter and on his return trip, if the vehicle previously noted has exceeded the posted time limit, he will summons it for overtime parking.
- D. In New Jersey, the Universal Traffic Summons will be served for overtime parking and will describe the violation on the complaint by including the times the vehicle was parked in violation of the posted regulations. No mention of defective meters will be made in these cases.

X. RECOMMENDATION FOR LICENSE REVOCATION

- A. Arresting officers may recommend the revocation of a driver's license when it is the officer's opinion that a motor vehicle operator who they have summonsed or arrested, is incapable of operating a motor vehicle safely on the highway, or is a potentially dangerous driver. This does not mean, however, that officers are to recommend promiscuously, the revocation of a motorist's driving privileges. Action of this type should only be taken in the most serious cases, and then only if there is reason to believe that the violator evidences a consistent pattern of a particularly serious nature.
- B. An officer wishing to make such a recommendation will discuss the validity of his conclusions with his Tour Commander. If the Tour Commander agrees, the recommendation will be forwarded to the Commending Officer for concurrence and action.
- C. If in the opinion of the Commending Officer the recommendation for revocation is valid, he will forward it to the magistrate before whom the complaint is to be heard, and to the Director Of Motor Vehicles, attention: Driver Improvement Section, Trenton, N.J. A copy of the summons and the recommendation will also be forwarded to the Deputy Inspector of Operations.

XI. MOTOR VEHICLES BEARING " SPECIAL PRIVILEGE" IDENTIFICATION

- A. Summonses may not be issued to "AMPUTEES" (or other disabled motorists) when their identified vehicles are parked overtime, except when parked in one location for more than 24 hours.
- B. Identification of a disabled person's motor vehicle consists of:

1. A special identification card issued by the Director of the N.J. Division of Motor Vehicles, for the exclusive use of the disabled person.
2. A certificate indicating that a special vehicle identification card has been issued for the vehicle. The certificate will be pasted on the lower right hand corner of the windshield.
3. A metal insignia, which will be, attached to the license plates of the vehicle.

The only privilege extended to disabled persons is overtime parking. All other violations are answerable in court and any abuses of privileges could result in revocation of all such special privileges.

XII. GENERAL

A. Use of Port Authority Statutes

1. Motor vehicle violations which occur on Port Authority property must be charged under the appropriate Port Authority statute rather than under the Motor Vehicle Laws of the States of New York and New Jersey, nor under municipal traffic regulations.

Chapter 192, Laws of New Jersey 1950 will be used for tunnels and bridges traffic violations.

Chapter 239, Laws of New Jersey, 1951 will be used for air and marine terminal traffic violations.

B. Issuing Summonses to Buses

1. Since it is not the intent of the Port Authority to penalize persons riding a bus, for an infraction of the law committed by the driver, any bus traveling an authorized route will not be delayed unduly by any member of the force who finds it necessary to issue a summons to the driver for a minor traffic violation.
2. The officer will obtain the driver's name, identification number, and home address. The driver will be informed to stop on his return trip to receive the summons as will be further informed that failure to return will result in a call to his home and business and that a summons will be issued at either location.
3. When the officer allows the driver to continue his trip without issuing a summons, the Tour Commander will be notified.
4. If it is determined that the driver is unfit to drive, or the vehicle is unsafe, the vehicle will be detained and the company involved notified to send another driver or vehicle, as the case may be.

I. INTRODUCTION

This instruction outlines the procedures for court and other official appearances required by members of the force.

II. PURPOSE:

- A. To reduce the number of instances in which members of the force are directed to officially appear before courts, governmental and other agencies, during their off duty time.
- B. Establish the appearance and conduct of members of the force when officially appearing before courts, governmental and other agencies.

III. DEFINITION

For the purpose of the remainder of this instruction, whenever the word COURT is used, it shall mean not only traffic, criminal, civil or other court; but shall also mean any official governmental agency hearings.

IV. OFFICIAL APPEARANCESA. Wearing of Uniforms

- 1. All uniformed members of the force when appearing as a witness Or complainant in any court, will be attired in the uniform of the day, unless permission has been received from his commanding officer to attend in civilian attire. Commanding officers will be guided by local court procedure and rules in granting this permission.
- 2. When appearing in civilian attire, he shall be in business dress and shall wear his shield on his outermost garment over the left breast, while in the courtroom, complaint office and whenever he is escorting a prisoner.

B. Initial Appearance

- 1. Initial court appearance for arraignment is primarily controlled by the time and day of arrest. Members of the force will be governed by the local containing jurisdiction in expeditiously arraigning their prisoners and will return promptly to the facility upon completion.
- 2. Initial court appearances where advance notice is given will be scheduled on a working tour whenever possible.

C. Re-Appeances

- 1. Any member of the force, who is requested by a court to select a date for re-appearance, will select a date on which he is working a scheduled tour of duty, which coincides with the hours that the court is in session. If this is not possible, the officer will select a date for re-appearance on which he is working any tour of duty.

2. When reporting back to his command from the initial or re-appearance, the officer will complete Form PA 2286 - Postponement or Disposition Report, or PA 2856 - Arrest and Court Appearance Record, whichever his command is using, indicating when applicable, the new court appearance date.
3. If the court re-appearance is to take place on other than a scheduled tour of duty, the officer will note the reason for this assignment in the remarks section of the above forms. The reason will specify who set the date, (e.g., Judge, Court Clerk, District Attorney) and why.
4. Upon receipt of a PA 2286 or PA 2856 from an officer, which indicates a rescheduled court appearance on a date and at a time other than a scheduled tour of duty, the facility commanding officer will do one of the following:
 - a where a court re-appearance falls on a scheduled day off, the officer will be scheduled to report for duty as per local facility instructions and receive premium compensation, and carfare when applicable; *
 - b where the court re-appearance falls on a scheduled work day, but not during the officer's hours of work:

his hours of work may be changed to permit him to attend court during his tour of duty. This will be done in all cases where the man is scheduled for New York City Criminal Courts 9:00 AM – 5:00 PM

he may be permitted to work overtime outside of his regular tour to attend the court session in accordance with the current provisions on overtime

* Commanding Officers should verify with the courts, when possible, that the case couldn't be scheduled during the man's working tours before approving overtime work on the man's scheduled day off.
5. Where a man is ordered to stand by for possible court appearance, (Telephone Alert System) he will stand-by at the facility and be utilized on the tour where possible, until called.

D. Signing On and Off Duty for Appearances

Members of the force attending court must sign on and off duty at their facilities as directed by the commanding officer.

E. Personal Cases

All time spent in court on any personal cases will be handled on the officer's own time, except as otherwise provided in PAI 20-3.05, dated August, 1967, Excused Absences, Paragraph III A-1.

- F. Whenever a member of the force makes an arrest, which is not directly associated with his Port Authority duty assignment, he will probably be required to make one or more subsequent court appearances. If the time of such court appearance coincides with a scheduled tour of duty, the

member of the force will be excused for whatever portion of the tour necessary to fulfill the court appearance. If the court appearance occurs other than during a scheduled tour of duty, the officer will be granted four hours overtime compensation.

Where police action taken is not directly connected with the arresting officer's duty assignment, the member of the force will not be compensated for the time spent in effecting the arrest and booking the defendant.

V. REGULATIONS AND CONDUCT OF MEMBERS OF THE FORCE IN "COURT"

A. Demeanor

The appearance and demeanor of a member of the force is constantly being observed by the court and jury both while on the stand and while in the courtroom before and after testifying. His appearance, conduct and attitude should be such as to add to the dignity of the court.

B. Complaints

A member of the force shall give all the facts, including names and addresses of witnesses to the prosecuting attorney assigned to the case, and before preparing complaints will, if possible, confer with said attorney.

C. Memorandum Books

1. When a police officer testifies as a witness in any criminal case, the defendant is entitled to have produced, any written memorandum made by the officer concerning the matter about which he is testifying. Therefore, he shall be required to take his memorandum book, which contains the entries concerning the matter in which he is to testify, to court. He should confer with the prosecuting (district) attorney before the trial and show him the memorandum book and any other written memoranda concerned.
2. Listed below are examples of the type of information, relative to an arrest that should be entered in the memorandum book by the officer concerned without delay, while the details of the case are still fresh in his mind and the complainants and witnesses are still available to supply information.
 - a The defendant's name and address
 - b The complainant's name and address
 - c The names and addresses of witnesses
 - d Time and place of occurrence
 - e The acts of the defendant which resulted in the arrest
 - f The specific charge or charges
 - g Description of the weapon or weapons involved
 - h A full description of personal injuries or property damage

NOTE: Detectives and plainclothesmen assigned to the Investigative Unit will be governed by orders and instructions issued by the Commanding Officer of the Investigative Unit, with regard to this instruction.

D. Timekeeping Responsibility - New York City Criminal Courts

1. A member of the force attending a New York City Criminal Court will report to the New York City Police Superior assigned to the police sign-in room. He will be given a New York City Police Department form (PD-468-145), "Court Attendance Record" (see Appendix "A"). After making the required entries, he will return the form to the New York City Police Department Superior, who will record his arrival time by use of a time clock. The officer will retain the form until he has completed his appearance in the building. At this time the officer will return to the police room, where his form will be stamped with the departure time in the appropriate space.
2. The officer will return this New York City Police Department form to his command, attached to either the PA 2286 or PA 2856. Failure to do so without a reasonable excuse will result in no credit for the time spent in court.
3. Commanding Officers will utilize these forms as a control on actual court time expended by members of the force and will establish criteria for time allowed, both going to and returning from New York City Criminal Court appearances.

E. Supervision of Members of the Force in Court

1. Commanding Officers will assign a superior officer of the rank of Sergeant or above to make periodic spot Checks in the various courts to ascertain if all regulations and conduct of members of the force in court are being complied with.
2. Where violations are observed, the superior officer assigned will submit his report to his commanding officer with a copy to the Deputy Inspector Operations with his recommendations.
3. The superior officer assigned shall wear either the uniform of the day or civilian business attire as determined by the commanding officer, in making these spot checks.

- F. To assist commanding officers in evaluating the performance of the members of their commands, the triplicate copy of form PD 244-156 (Arrest Report) together with the N.Y.C.P.D. copy of the related court complaint shall be delivered to the arresting officer's commanding officer for his review.

Effective immediately, each arresting officer shall, when present at the court complaint room, present the officer's copy of form PD 244-156 to the Assistant District Attorney assigned to the complaint room for his review. The arresting officer shall request the Assistant District Attorney to sign the arrest report. After the complaint has been prepared, the officer shall retrieve the triplicate copy of the arrest report and shall request the N.Y.C.P.D. copy of the court complaint.

The docket number shall be entered on the face of the affidavit. The arresting officer shall submit the triplicate copy of the arrest report together with the copy of the court complaint to his commanding officer or other designated superior officer as soon as possible after the arraignment of the defendant.

In all cases, the superior officer actually reviewing the reports shall personally make the written statements required by V, 8,2 of this P.D.I. If the reports are reviewed by other than the arresting officer's commanding officer, such superior shall be responsible that the commanding officer is notified of any case in which a discrepancy appears between the booking and arraigning charges. The commanding officer must be notified, regardless of the fact that the discrepancy may have resulted from actions of the Assistant District Attorney.

The superior officer to whom the court complaint is submitted shall check for omissions, deletions, or improper presentation of facts. He shall question the officer relative to any discrepancies between the arrest report and the court complaint, particularly where there is a difference between the charge on the court complaint and the charge on the arrest report. The superior officer shall enter upon the court complaint a statement of his findings and any steps taken to correct deficiencies. Immediately below his statement, he shall sign the complaint form indicating his rank and date of review. The court complaint, together with the officer's copy of the arrest report, shall be filed in the arresting officer's command alphabetically, under the name of the arresting officer.

The arresting officer must also comply with Appendix "F" which outlines the procedure to be followed when charges are dismissed by an Assistant District Attorney when he deems that the facts as related to him do not constitute an offense.

In instances where a discrepancy is noted or where a charge has been reduced or dismissed, the commanding officer shall conduct an investigation and take whatever action is necessary.

VI. OTHER RESPONSIBILITIES

A serious problem is created when a member of the force is scheduled to appear in court and cannot do so. This is aggravated when the courts are not notified. The New York City Criminal Court and some other agencies have requested that they be notified at least five (5) days prior to a scheduled appearance if a member of the force will not be available. To minimize this problem, the following will be adhered to:

A. Diary Entries

Each command will maintain court appearances in the facility diary, which will be checked for conflicts when assigning men compensatory time, vacations and overtime. This diary must also be checked every day covering the next five (5) days to pick up anyone who is unable to appear and may have failed to notify his command.

In cases of conflict, court appearances must come first.

B. Conflicts

Members of the force having scheduled appearances in more than one (1) part of the court or in different courts at the same time must immediately notify their command so that the conflict can be resolved.

C. Notification to Courts

Members of the force calling in sick, out sick, on vacation or excused time or otherwise unable to appear at a scheduled court appearance, must advise their commands of this fact so that proper notification can be promptly made, and an adjournment date requested until the probable date of the officer's ability to appear.

Where possible, the notification will be made seven (7) days, exclusive of Saturdays, Sundays or holidays prior to the scheduled appearance. EXCEPTION: Courts other than New York City Criminal or New York City Criminal Term Part of Supreme Court can be made by 9:00 AM on the morning of the appearance date.

D. Appeals

When official notification is received of a pending appeal case, by any member of the force, it will immediately be brought to the attention of his commanding officer.

This information will be relayed to the Deputy Inspector - Operation: by telephone, who will be responsible for informing the Port Authority Law Department. This information, in the form of a memorandum with all the facts of the case, will then be submitted to the Superintendent of Police, as a follow-up.

E. Extended Absence

When a command is notified by a court of a NOT GUILTY PLEA involving a member of the force who is on extended absence, the commanding officer will:

1. Inform the clerk of the court at the time he calls, that the officer is on extended absence of thirty (30) days or more.
2. Notify the command of the officer, in the event he is not assigned to the notified command.
3. The appropriate commanding officer will set up a folder listing the name of the officer and the NOT GUILTY PLEA case.
4. Upon return from the extended absence, the court clerk of the concerned court in New York City will be advised and a date then scheduled for the appearance.
5. If a notification for a traffic court appearance is received at a command for a member who has resigned, retired or is suspended, an immediate notification of this fact shall be made to the court.

F. Court Appearances by Retired Members of the Police Division

When a member of the Police Division retires prior to the adjudication of either a criminal or civil proceeding in which they were involved as witnesses, the following is the procedure for determining what, if any, compensation the retired member of the force is entitled to for his appearance in court.

1. Criminal Proceedings: The retired member of the Port Authority Police will not be compensated in any manner by the Port Authority for his

To: All Members of the Force



INTERIM ORDER

This Department has had a long-standing Criminal History policy regarding the request and use thereof. In order to establish and maintain a more comprehensive policy the foregoing shall be adhered to and followed, effective immediately.

I. PURPOSE:

The purpose of this Interim Order is to establish a standardized method of requesting, disseminating and destroying Computerized Criminal History (CCH) printouts.

II. POLICY

It shall be the policy of this Department that Computerized Criminal History (CCH) information can be requested by any member of this Department for Criminal Justice purposes only. This shall include investigations for Criminal Justice Employment. It shall also be the policy of this Department that New Jersey Criminal Justice Information System (NJ CJIS) CCH requested for the purposes of lodging a prisoner, or processing a prisoner through a judicial possessing center be obtained and disseminated as prescribed by guidelines set forth by the New Jersey State Police. Moreover, it shall be the policy of this Department that all members of the force adhere to all National, New York/New Jersey Laws and Regulations governing computerized criminal history information. Finally, it shall be the policy of this Department that the Computerized Criminal History printout be destroyed immediately after it has met its intended purpose.

III. DEFINITIONS:

NCIC: The National Crime Information Center is the computer system and facilities maintained by the Federal Bureau of Investigation (FBI), managers of the system. Located in Washington, D.C., NCIC is the repository for all crime data including, but not limited to, criminal history information, and wanted/missing person information.

- NYSPIN:** The New York Statewide Police Information (NYSPIN) is the computerized system administered by the Division of State Police as authorized by the New York State Executive Law, Sections 217, 218, 219, and 220. The system includes the equipment, facilities, procedures, agreements and organizations thereof for the collection, processing, preservation, or dissemination of criminal justice information
- NJCJIS:** New Jersey Criminal Justice Information System (NJCJIS), with its Headquarters in Trenton, New Jersey is the New Jersey State Police computer system. Managers of the system are the New Jersey State Police.
- DCJS:** The New York State Division of Criminal Justice Services, with its Headquarters located in Albany, New York, is responsible for the collection, processing, preservation, and dissemination of computerized criminal history record information and other information as required by the New York State Executive Law.
- NJSBI:** New Jersey State Bureau of Identification, with its Headquarters in Trenton, New Jersey, is the counterpart agency to DCJS in the state of New Jersey. As with DCJS, it is the repository for all criminal history record information. Unlike DCJS it is not a self-governing agency as it is governed and operated by New Jersey State Police.
- CCH:** Computerized Criminal History. This document contains criminal history data on the subject inquired about, including, but not limited to aliases, marks and tattoos.
- CHRI** Criminal History Record Information is that information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detention, indictments, information, or other formal criminal charges; and any dispositions arising therefrom such as sentencing, correctional supervision, and release. The term does not include identification information, and thus does not indicate involvement of the individual in the criminal justice system.

Requestor: Member of the force requesting a Computerized Criminal History.

Receiving Agent: County Sheriff, Prosecutor or representative thereof who receives a CCH printout from this Department.

Comments: Portion of the computer screen where pertinent information about the purposes of the CCH are logged.

Computer Material: Computer Material is defined in New York State PENAL LAW 156.00, sub.5.

CFR Title 28: The authority for the Federal Government to regulate Computerized Criminal History Record information comes from Title 28 United States Code (USC), Section 534. The procedures, definitions, and punitive provisions are found in Title 28, Code of Federal Regulations (CFR), Part 20, Subparts A, B and C.

Administration Criminal Justice: The administration of criminal justice (Title 28 CFR 20.3 (d)) means the performance of any of the following activities: detection, apprehension, detention, pretrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of CHRI.

Criminal Justice Purpose: When obtaining CHRI, criminal justice purpose means accessing information available through NYSPIN or NJCJIS as part of an official duty associated with the administration of criminal justice (Title 28 CFR 20.3 (d)). When accessing criminal justice information other than CHRI, criminal justice purpose means accessing information available through NYSPIN or NJCJIS for an official function, including training, normally performed by criminal justice employees.

Unauthorized
Access of NYSPIN

Unauthorized access of NYSPIN means accessing of NYSPIN by a person or agency not entitled to obtain, secure, or use the criminal justice information improperly obtained therefrom. The New York State Penal Law, Section 156.00, Subsection 6 further defines unauthorized access to computer services, and sets criminal penalties therefore.

Unauthorized
Access of NJCJIS:

Unauthorized access of NJCJIS means accessing of NJCJIS by a person or agency not entitled to obtain, secure, or use the criminal justice information improperly obtained therefrom. Unauthorized access is defined by New Jersey Criminal Justice Code Title 2C: 20-31.

Member:

A member is a person who is regularly employed by an agency assigned an agency identifier (ORI) and who is sworn to or designated to carry out the administration of criminal justice as defined in the agency's rules and regulations.

Criminal Justice
Agency:

As defined by "(Title 28, Code of Federal Regulations, Part 20, Subpart A-section 20.3), a Criminal Justice Agency is one which is a governmental agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice (allocates a substantial part has been interpreted to mean more than 50%). The administration of criminal justice means performance of any of the following activities: detection, apprehension, detention, pretrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders.

NLETS:

National Law Enforcement Telecommunications System Inc. is the computer system located in Phoenix, Arizona that is used by all states for the interstate exchange of criminal justice information. Its Headquarters located in Phoenix, Arizona, is the system that facilitates interstate communications between criminal justice agencies throughout the continental United States, Hawaii, Puerto Rico, US Virgin Islands, District of Columbia and Canada.

Criminal Justice

Criminal Justice Information means all computer information or

To: All Members of the Force

Information: computer material processed by or through NYSPIN or NJCJIS regardless of the source of the information or material, including material and information from noncriminal justice computer systems such as, but not limited to, the New York State Department of Motor Vehicles and the Truck Mileage Tax data base file and New Jersey Department of Motor Vehicles.

IV. LAWS:

Members of the Department shall become familiar with all National/State laws and regulations relevant to Criminal History Record Information delineated in this Interim Order and be guided accordingly.

- A. New York State Penal Law 156.00, sub5 (Computer Material): As defined "is property and means any computer data or computer program which:
- a. contains records of the medical treatment of an identified or readily identifiable individual or individuals. This term shall not apply to the gaining access to, or duplication solely of, the medical history or medical treatment records of a person by that persons, or by another, specifically authorized by the person whose records are gained access to or duplicated; or
 - b. Contains records maintained by the state or any political subdivision thereof or any governmental instrumentality within the state, which contains any information concerning a person, as defined in subdivision seven of section 10.00 of this chapter, which because of name, number, symbol, mark or otherwise prohibited by law from being disclosed. This term shall not apply to the gaining access to, or duplication solely of, records of a person by that person or by another specifically authorized by the person, whose records are gained access to or duplicated; or
 - c. is not and is not intended to be available to anyone other than the person or persons rightfully in possession thereof or selected persons having access thereto with his or their consent and which accords or may accord such rightful possessors an advantage over competitors or other persons who do not have knowledge or the benefit thereof.
- B. New York State Penal Law, Section 156.00, Subsection 6 (Unauthorized Computer Use): "Uses a computer or computer service without authorization" means the use of a computer or computer service without

someone licensed or privileged by the owner or less or after notice to that effect to the use of the computer or computer service has been given by:

- a. giving actual notice in writing or orally to the user; or
 - b. prominently posting written notice adjacent to the computer being utilized by the user; or
 - c. a notice that is displayed on, printed out on, or announced by the computer being utilized by the user. Proof that the computer is programmed to automatically display, print or announce such notice or a notice prohibiting copying, reproduction or duplication, shall be presumptive evidence that such notice was displayed, printed or announced.
- C. New Jersey Criminal Justice Code Title 2c: 20, sub g (Computer Data): "computer system" means a set of interconnected computer equipment intended to operate as a cohesive system.
- D. New Jersey Criminal Justice Code Title 2c: 20, sub h (Computer Data): Information facts, concepts, or instructions prepared for use in a computer system, or computer network.
- E. New Jersey Criminal Justice Code Title 2c: 20-23I (Data Base): Data is the a collection of data.
- F. New Jersey Criminal Justice Code Title 2c: 20-31 (Disclosing Data, etc.): A person is guilty of a crime of the third degree if he purposely and without authorization accesses a computer system or any of its parts and directly or indirectly discloses or causes to be disclosed data, data base, computer software or computer programs where the accessing and disclosing cannot be assessed a monetary value or loss.
- G. Title 28 Part 20, Subpart A, B, & C Code Federal of Regulations (Criminal Justice Information Systems): In Part this Regulation states that "criminal history information contained in any Department of Criminal Justice criminal history information system will be made available: to criminal justice agencies for criminal justice purposes..." Any agency or individual subpart B of these regulations shall be subject to a fine not to exceed \$10,000." (Refer to APPENDIX A)

V. PROCEDURE:

Computerized Criminal Histories shall be requested by members of the force for Criminal Justice purposes only and under the following circumstances:

investigations and arrests. Requests for a Criminal History Record Information (Rap Sheet), in connection with an investigation, can be made by members of the Criminal Investigations Bureau. Requests made in connection with an arrest shall be approved by the Duty Tour Commander. These include Desk Appearance Tickets (DAT) in New York and CDR-1 & 2 in New Jersey.

A. Command Level Responsibilities

1. Criminal History requests shall be made to the Telecommunications Unit via fax (a telephone call shall be placed to confirm the receipt at CPD). The fax sheet shall contain all the pedigree on the subject of the computerized criminal history including, but not limited to, name, aliases, DOB, social security number, marks/tattoos, etc. Detectives requiring a criminal history as part of an investigation will follow the same procedure.
2. In the event a defendant cannot post bail and is to be lodged in a county jail and said county jail requires a Computerize Criminal History for lodging purposes, the arresting officer will notify the Telecommunications Unit and request a second CCH.
3. The Tour Commander will prepare and sign a Computerized Criminal History printout receipt and fax same to the Telecommunications Unit (CPD) acknowledging receipt. Tour Commander will also log all pertinent information including, but not limited to, subject's name, DOB, and case number.
4. Tour Commander will prepare a receipt for an outside agency receiving a CCH. Once the CCH is released to the outside agency, and has acknowledged receipt of the CCH by signing the receipt, the Tour Commander shall fax same to the Telecommunications Unit. (Refer to Appendix B).
5. Member of force requesting the CCH will shred same once the intended use has been met.

NOTE: Computerized Criminal History shall only be used as a lead since it cannot be confirmed that it relates to the person who is the subject of an inquiry. For exact matches, fingerprints must be submitted for proper identification of the person in question.

B. Telecommunications Unit responsibilities:

- a. Upon request, the Telecommunications Unit (CPD) will generate a CCH for the individual named in the request. The computer screen format shall contain, in addition to the subject's information, the

requestor's name (Last, First), and Comments (i.e., PATH arrest case T9806512 arrest Num. 02550-00).

- b. The Telecommunications Unit (CPD) will fax a Computerized Criminal History printout to any New Jersey Command sanctioned by the New Jersey State Police to receive histories via a fax. New York Commands may receive CCH if the site has been deemed a secure site by the Terminal Agency Coordinator.
- c. The recorded ORI number for the County Sheriff/Prosecutor (Receiving Agency) receiving the CCH will be recorded in the CCH screen section captioned "SECONDARY ORI, followed by the agency name in the screen section captioned "RECEIVING AGENT NAME". This applies both to the NJCJIS and NYSPIN.
- d. Telecommunications Officer will record the second CCH in the Criminal History Log with all pertinent information (i.e., date, time of request, agency and agency representative taking custody of CCH).
- e. New Jersey Only: In the event an outside criminal justice agency requests assistance in obtaining a CCH, said agency's request shall be honored only if it is an emergency and their terminal is out of service and after the duty Central Police Desk Sergeant has been briefed and his/her approval been secured. In addition, all the particulars regarding the requestor shall be obtained and verified. This is to include, but not limited to:
 1. ORI
 2. Agency Name
 3. Telephone number
 4. Requestor's name and rank

NOTE: Once the Computerized Criminal History has met its intended use, said history shall be shredded immediately. At no time, shall CCH's be placed in arrest jackets or with any other arrest paperwork filed at the command. In the event it becomes necessary to review a particular CCH again, a "fresh" CCH shall be made in order to obtain the most recent information (CCH information is updated periodically).

II. NEW YORK CITY BUREAU OF CRIMINAL INVESTIGATION

To: All Members of the Force

Requests for an inquiry with the New York City Bureau of Criminal Investigation can be made by authorized members via the Telecommunications Unit. Requestors shall provide all subject information, a case number and reason for the inquiry.

III. RECORDS MANAGEMENT AND INTEGRITY

Records management is paramount in maintaining the integrity of the system. Therefore, the steps outlined herein shall be adhered to in order to achieve this goal. Any deviations or infractions shall be dealt with as delineated herein.

- A. Every command shall maintain a log book of all Criminal History requests (the Telecommunication Unit currently maintains one). The log book shall list the following information: date, time, subject of investigation information (name, DOB, sex, race, social security number), requestor's rank, name, shield number, employee number, case number and reason for inquiry.
- B. Terminal Agency Coordinator: The Terminal Agency Coordinator shall compile a monthly list of all criminal histories requested by members of the force and submit same to the respective Commanding Officers for their review.
- C. Commanding Officer: Commanding Officers shall ensure that the criminal histories requested by members of their command were requested in compliance with all policies. This is to be accomplished by conducting periodic audits based on the reports produced by the Terminal Agency Coordinator. In the event that any discrepancies are detected, the Commanding Officer shall immediately notify the Chief of Professional Standards via memorandum.
- D. Police Professional Standards Section Chief: Upon receiving a notification of non-compliance with the Department's CCH policy, the Chief, Professional Standards Section shall review the matter and immediately refer the case to the Internal Affairs Bureau for investigation.
- E. Internal Affairs Bureau: The Internal Affairs Bureau shall conduct a timely and thorough investigation and forward the findings to the Chief, Professional Standards Section.

All members are to familiarize themselves with the procedures delineated herein, all the laws, regulations and definitions as they pertain to Computerized Criminal Histories.

Subject: Criminal History Request

I.O. 5-00

Date: 03/22/00

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To: All Members of the Force

This Interim Order shall remain in effect until such time that a Police Operations Instruction (POI) is published concerning Criminal History Request Information and dissemination thereof.



By order of:

APPROVED BY THE OFFICE
OF SUPT. OF POLICE



Fred V. Morrone
Director, Public Safety Department
Superintendent of Police

APPENDIX "A"

§20.3

Department of Justice
Specific information identified in §19.5
concerning implementation and participation
in the program.

PART 20 - CRIMINAL JUSTICE INFORMATION SYSTEMS

Subpart A - General Provisions

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APPENDIX TO PART 20 – COMMENTARY ON SELECTED SECTIONS OF THE REGULATIONS ON CRIMINAL HISTORY RECORD INFORMATION SYSTEMS

AUTHORITY: 28 U.S.C. 534; Public Law
92544, 96 Stat. 1115; 42 U.S.C. §711 at
seq; Public Law 99-169, 99 Stat. 1002,

1006-1011, as amended by Public Law 99-
569 100 Stat § 190, § 196

SOURCE: Order No. 801-75, 40 FR 22114,
May 20, 1975 unless otherwise noted.

Subpart A—General Provisions

SOURCE: 41 FR 11714. Mar. 19, 1976,
unless otherwise noted.

120.1 Purpose

It is the purpose of these regulations to
assure that criminal history record
information wherever it appears is collected,
stored, and disseminated in a manner to
insure the completeness, integrity, accuracy
and security of such information and to
protect individual privacy.

20.2 Authority.

These regulations are issued pursuant to
sections 501 and 524(b) of the Omnibus
Crime Control and Safe Streets Act of 1968,
as amended by the Crime Control Act of
1973, Public Law 93-83, 87 Stat. 197, 42
U.S.C. 3701, et seq. (Act), 28 U.S.C. 534,
and Public Law 92- 544, 86 Stat. 1115.

20.3 Definitions.

As used in these regulations:

(a). Criminal history record information
system means a system including the
equipment, facilities, procedures,
agreements, and organizations thereof, for
the collection, processing, preservation or
dissemination of criminal history record
information.

(b). Criminal history record information
means information collected by criminal
justice agencies on individuals consisting of
identifiable descriptions and notations of
arrests, detentions, indictments,
informations, or other formal criminal
charges, and any disposition arising
therefrom, sentencing, correctional
supervision, and release. The term does not
include identification information such as
fingerprint records to the extent that such
information does not indicate involvement of
the individual in the criminal justice system.
State and Federal Inspector General Offices
are included.

(c). Criminal justice agency means:

1. Courts;
2. A government agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice.

(d). The administration of criminal justice means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of criminal history record information. State and Federal Inspector General Offices are included.

(e). Disposition means information disclosing that criminal proceedings have been concluded, including information disclosing that the police have elected not to refer a matter to a prosecutor or that a prosecutor has elected not to commence criminal proceedings and also disclosing the nature of the termination in the proceedings; or information disclosing that proceedings have been indefinitely postponed and also disclosing the reason for such postponement. Dispositions shall include, but not be limited to, acquittal, acquittal by reason of insanity, acquittal by reason of mental incompetence, case continued without finding, charge dismissed, charge dismissed due to insanity, charge dismissed due to mental incompetency, charge still pending due to insanity, charge still pending due to mental incompetence, guilty plea, nolle prosequi, no paper, nolo contendere plea, convicted, youthful offender determination, deceased, deferred disposition, dismissed—civil action, found insane found mentally incompetent, pardoned, probation before conviction, sentence commuted, adjudication withheld, mistrial—defendant discharged, executive clemency, placed on probation, paroled, or released from correctional supervision.

(f). Statute means an Act of Congress or State legislature of a provision of the

Constitution of the United States or of a State.

(g). State means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico and any territory or possession of the United States.

(h). An executive order means an order of the President of the United States or the Chief Executive of a State which has the force of law and which is published in a manner permitting regular public access thereto.

(i). Act means the Omnibus Crime Control and Safe Streets Act, 42 U.S.C. 3701, et seq., as amended.

(j). Department of Justice criminal history record information system means the Identification Division and the Computerized Criminal History File systems operated by the Federal Bureau of Investigation.

(k). Nonconviction data means arrest information without disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; or information disclosing that the police have elected not to refer a matter to a prosecutor, or that a prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed, as well as all acquittals and all dismissals.

(l). Direct access means having the authority to access the criminal history record database, whether by manual or automated methods.

[41 FR 11714, Mar. 19, 1976, as amended at 45 FR 40114, June 13, 1980; Order No. 960-81. 46 FR 52357, Oct. 27, 1981]

Subpart B—State and Local Criminal History Record Information Systems

SOURCE: 41 FR 11715, Mar. 1.9, 1976, unless otherwise noted.

§ 20.20 Applicability

(a). The regulations in this subpart apply to all State and local agencies and individuals collecting, storing, or disseminating criminal history record information processed by manual or automated operations where such collection, storage, or dissemination has been funded in whole or in part with funds made available by the Law Enforcement

Assistance Administration subsequent to July 1, 1973, pursuant to title I of the Act Use of information obtained from the FBI Identification Division or the FBI/NCIC system shall also be subject to limitations contained in subpart C.

(b). The regulations in this subpart shall not apply to criminal history record information contained in:

- (1). Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;
- (2). Original records of entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis;
- (3). Court records of public judicial proceedings;
- (4). Published court or administrative opinions or public judicial, administrative or legislative proceedings;
- (5). Records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of regulating the issuance, suspension revocation, or renewal of driver's, pilot's or other operators' licenses;
- (6). Announcements of executive clemency.

(c). Nothing in these regulations prevents a criminal justice agency from disclosing to the public criminal history record information related to the offense for which an individual is currently within the criminal justice system. Nor is a criminal justice agency prohibited from confirming prior criminal history record information to members of the news media or any other person upon specific inquiry as to whether a named individual was arrested, detained, indicted, or whether an information or other formal charge was filed, on a specified date, if the arrest record information or criminal record information disclosed is based on data excluded by paragraph (b) of this section. The regulations do not prohibit the dissemination of criminal history record information for purposes of international travel, such as issuing visas and granting of citizenship

§ 20.21 Preparation and submission of a Criminal History Record Information Plan.

A plan shall be submitted to OJARS by each State on March 16, 1976, to set forth all operational procedures, except those portions relating to dissemination and security. A supplemental plan covering these portions shall be submitted no later than 90 days after promulgation of these amended regulations. The plan shall set forth operational procedures to—

(a). Completeness and accuracy. Insure that criminal history record information is complete and accurate.

(1). Complete records should be maintained at a central State repository. To be complete, a record maintained at a central State repository which contains information that an individual has been arrested, and which is available for dissemination, must contain information of any dispositions occurring within the State within 90 days after the disposition has occurred. The above shall apply to all arrests occurring subsequent to the effective date of these regulations. Procedures shall be established for criminal justice agencies to query the central repository prior to dissemination of any criminal history record information unless it can be assured that the most up-to-date disposition data is being used. Inquiries of a central State repository shall be made prior to any dissemination except in those cases where time is of the essence and the repository is technically incapable of responding within the necessary time period.

(2). To be accurate means that no record containing criminal history record information shall contain erroneous information. To accomplish this end criminal justice agencies shall institute a process of data collection, entry, storage, and systematic audit that will minimize the possibility of recording and storing inaccurate information and upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information.

(b). Limitations on dissemination Insure that dissemination of nonconviction data has been limited, whether directly or through any intermediary only to:

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- (1). Criminal justice agencies, for purposes of the administration of criminal Justice and criminal justice agency employment;
 - (2). Individuals and agencies for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate State or local officials or agencies;
 - (3). Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, insure the security and confidentiality of the data consistent with these regulations, and provide sanctions for violation thereof;
 - (4). Individuals and agencies for the express purpose of research, evaluative or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, insure the confidentiality and security of the data consistent with these regulations and with section 524(a) of the Act and any regulations implementing section 524(a), and provide sanctions for the violation thereof. These dissemination limitations do not apply to conviction data.
- (c). General policies on use and dissemination.
- (1). Use of criminal history record information disseminated to noncriminal justice agencies shall be limited to the purpose for which it was given.
 - (2). No agency or individual shall confirm the existence or nonexistence of criminal history record information to any person or agency that would not be eligible to receive the information itself.
 - (3). Subsection (b) does not mandate dissemination of criminal history record information to any agency or individual. States and local governments will determine the purposes for which dissemination of criminal history record information is authorized by State law, executive order, local ordinance, court rule, decision or order.

(d). Juvenile records. Insure that dissemination of records concerning proceedings relating to the adjudication of a juvenile as delinquent or in need or supervision (or the equivalent) to noncriminal justice agencies is prohibited unless a statute, court order, rule or court decision specifically authorizes dissemination of juvenile records, except to the same extent as criminal history records may be disseminated as provided in paragraph (b) (3) and (4) of this section.

(e). Audit. Insure that annual audits of a representative sample of State and local criminal justice agencies chosen on a random basis shall be conducted by the State to verify adherence to these regulations and that appropriate records shall be retained to facilitate such audits. Such records shall include, but are not limited to, the names of all persons or agencies to whom information is disseminated and the date upon which such information is disseminated. The reporting of a criminal justice transaction to a State, local or Federal repository is not a dissemination of information.

(f). (U Security. Wherever criminal history record information is collected, stored, or disseminated, each State shall insure that the following requirements are satisfied by security standards established by State legislation, or in the absence of such legislation, by regulations approved or issued by the Governor of the State.

- (1). Where computerized data processing is employed, effective and technologically advanced software and hardware designs are instituted to prevent unauthorized access to such information.

- (2). Access to criminal history record information system facilities, systems operating environments, data file contents whether while in use or when stored in a media library, and system documentation is restricted to authorized organizations and personnel.

- (3). (i) Computer operations, whether dedicated or shared, which support criminal justice information systems, operate in accordance with procedures developed or approved by the participating criminal justice agencies that assure that:

- (a). Criminal history record information is stored by the computer in such manner that it cannot be modified, destroyed, accessed, changed, purged or overlaid in any fashion by non-criminal justice terminals.
- (b). Operation programs are used that will prohibit inquiry, record updates or destruction of records, from any terminal other than criminal justice system terminals, which are so, designated.
- (c). The destruction of records is limited to designated terminals under the direct control of the criminal justice agency responsible for creating or storing the criminal history record information.
- (d). Operational programs are used to detect and store for the output of designated criminal justice agency employees all unauthorized attempts to penetrate any criminal history record information system, program or file. •
- (e). The programs specified in paragraphs (f)(3)(1) (b) and (d) of this section are known only to criminal justice agency employees responsible for criminal history record information system control or individuals and agencies pursuant to a specific agreement with the criminal justice agency to provide such programs and the program(s) are kept continuously under maximum security conditions.
- (f). Procedures are instituted to assure that an individual or agency authorized direct access is responsible for
 - (1) the physical security of criminal history record information under its control or in its custody and
 - (2) the protection of such information from unauthorized access, disclosure or dissemination.
- (g). Procedures are instituted to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.
 - (ii). A criminal justice agency shall have the right to audit, monitor and inspect procedures established above.
- (4). The criminal justice agency will:
 - (i). Screen and have the right to reject for employment, based on good cause, all personnel to be authorized to have direct

- access to criminal history record information.
- (ii). Have the right to initiate or cause to be initiated administrative action leading to the transfer or removal of personnel authorized to have direct access to such information where such personnel violate the provisions of these regulations or other security requirements established for the collection, storage, or dissemination of criminal history record information.
- (iii). Institute procedures, where computer processing is not utilized to as sure that an individual or agency authorized direct access is responsible for
- (a). The physical security of criminal history record information under its control or in its custody and
- (b). The protection of each information from unauthorized access disclosure, or dissemination.
 - (iv). Institute procedures, where computer processing is not utilized, to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.
 - (v). Provide that direct access to criminal history record information shall be available only to authorized officers or employees of a criminal justice agency and, as necessary, other authorized personnel essential to the proper operation of the criminal history record information system.
- (5). Each employee working with or having access to criminal history record information shall be made familiar with the substance and intent of these regulations.
- (g). Access and review. Insure the individual's right to access and review of criminal history information for purposes of accuracy and completeness by instituting procedures so that—
 - (1). Any individual shall, upon satisfactory verification of his identity, be entitled to review without undue burden to either the criminal justice agency or the individual, any criminal history record information maintained about the individual and obtain a copy thereof when necessary for the purpose of challenge or correction;

(2). Administrative review and necessary correction of any claim by the individual to whom the information relates that the information is inaccurate or incomplete is provided;

(3). The State shall establish and implement procedures for administrative appeal where a criminal justice agency refuses to correct challenged information to the satisfaction of the individual to whom the information relates;

(4). Upon request, an individual whose record has been corrected shall be given the names of all non-criminal justice agencies to whom the data has been given;

(5). The correcting agency shall notify all criminal justice recipients of corrected information; and

(6). The individual's right to access and review of criminal history record information shall not extend to data contained in intelligence, investigatory, or other related files and shall not be construed to include any other information than that defined by § 20.3(b).

(41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61595, Dec. 6, 1977)

§ 20.22 Certification of compliance

(a). Each State to which these regulations are applicable shall with the submission of its plan provide a certification that to the maximum extent feasible action has been taken to comply with the procedures set forth in the plan. Maximum extent feasible, in this subsection, means actions which can be taken to comply with the procedures set forth in the plan that do not require additional legislative authority or involve unreasonable cost or do not exceed existing technical ability.

(b). The certification shall include—

- (1). An outline of the action, which has been instituted. At a minimum, the requirements of access and review under §20.21(g) must be completely operational;
- (2). A description of any legislation or executive order, or attempts to obtain such authority that has been instituted to comply with these regulations;

(3). A description of the steps taken to overcome any fiscal, technical, and administrative barriers to the development of complete and accurate criminal history record information;

(4). A description of existing system capability and steps being taken to upgrade such capability to meet the requirements of these regulations; and

(5). A listing setting forth categories of non-criminal justice dissemination. See §20.21(b).

§ 20.23 Documentation: Approval by OJARS.

Within 90 days of the receipt of the plan, OJARS shall approve or disapprove the adequacy of the provisions of the plan and certification. Evaluation of the plan by OJARS will be based upon whether the procedures set forth will accomplish the required objectives. The evaluation of the certification(s) will be based upon whether a good faith effort has been shown to initiate and/or further compliance with the plan and regulations. All procedures in the approved plan must be tally operational and implemented by March 1, 1978. A final certification shall be submitted on March 1, 1978. Where a State finds it is unable to provide final certification that all required procedures as set forth in § 20.21 will be operational by March 1, 1978, a further extension of the deadline will be granted by OJARS upon a showing that the State has made a good faith effort to implement these regulations to the maximum extent feasible. Documentation justifying the request for the extension including a proposed timetable for full compliance must be submitted to OJARS by March 1, 1978. Where a State submits a request for an extension the implementation date will be extended an additional 90 days while OJARS reviews the documentation for approval or disapproval. To be approved, such revised schedule must be consistent with the timetable and procedures set out below:

(a). July 31, 1978—Submission of certificate of compliance with:

- (1). Individual access, challenge, and review requirements;

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- (2). Administrative security;
- (3). Physical security to the maximum extent feasible.

(b). Thirty days after the end of a State's next legislative session—Submission to OJARS of a description of State policy on dissemination of criminal history record information.

(c). Six months after the end of a State's legislative session—Submission to OJARS of a brief and concise description of standards and operating procedures to be followed by all criminal justice agencies covered by OJARS regulations in complying with the State policy on dissemination.

(d). Eighteen months after the end of a State's legislative session—Submission to OJARS of a certificate attesting to the conduct of an audit of the State central repository and of a random number of other criminal justice agencies in compliance with OJARS regulations.

[41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61596, Dec. 6, 1977]

§ 20.24 State laws on privacy and security.

Where a State originating criminal history record information provides for sealing or purging thereof, nothing in these regulations shall be construed to prevent any other State receiving such information, upon notification, from complying with the originating State's sealing or purging requirements.

§ 20.25 Penalties

Any agency or individual violating subpart B of these regulations shall be subject to a fine not to exceed 510.000. In addition, OJARS may initiate fund cut-off procedures against recipients of OJARS assistance.

Subpart C--federal System and Interstate Exchange of Criminal History Record Information

§ 20.30 Applicability

The provisions of this subpart of the regulations apply to any Department of Justice criminal history record information system that serves criminal justice agencies in two or more states and to Federal, state and local criminal justice agencies to the extent that they utilize the services of Department of Justice criminal history record

information systems. These regulations are applicable to both manual and automated systems.

§ 20.31 Responsibilities

(a). The Federal Bureau of Investigation (FBI) shall operate the National Crime Information Center (NCIC), the computerized information system which includes telecommunications lines and any message switching facilities which are authorized by law or regulation to link local, state and Federal criminal justice agencies for the purpose of exchanging NCIC-related information. Such information includes information in the Computerized Criminal History (CCH) File, a cooperative Federal-State program for the interstate exchange of criminal history §20.32 record information. CCH shall provide a central repository and index of criminal history record information for the purpose of facilitating the interstate exchange of such information among criminal justice agencies.

(b). The FBI shall operate the Identification Division to perform identification and criminal history record information functions for Federal, state, and local criminal justice agencies, and for noncriminal justice agencies and other entities where authorized by Federal statute, state statute pursuant to Public Law 92-644 (86 Stat. 1115), Presidential executive order, or regulation of the Attorney General of the United States.

(c). The FBI Identification Division shall maintain the master fingerprint files on all offenders included in the NCIC/CCH File for the purposes of determining first offender status and to identify those offenders who are unknown in states where they become criminally active but known in other states through prior criminal history records.

§ 20.32 Includable offenses.

(a). Criminal history record information maintained in any Department of Justice criminal history record information system shall include serious and/or significant adult and juvenile offenses.

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(b). Excluded from such a system are arrests and court actions limited only to nonserious charges, e.g. drunkenness, vagrancy, disturbing the peace, curfew violation, loitering, false fire alarm, non-specific charges of suspicion or investigation, traffic violations (except data will be included on arrests for manslaughter, driving under the influence of drugs or liquor, and hit and run).

(c). The exclusions enumerated above shall not apply to Federal manual criminal history record information collected maintained and compiled by the FBI prior to the effective date of these Regulations.

[Order No. 601-75, 40 FR 22114, May 20, 1975, as amended by Order No. 1601-92, 57 FR 31318, July 15, 1992]

§ 20.33 Dissemination of criminal history record information.

(a). Criminal history record information contained in any Department of Justice criminal history record information system will be made available:

- (1). To criminal justice agencies for criminal justice purposes: and
- (2). To Federal agencies authorized to receive it pursuant to Federal statute or Executive order.
- (3). Pursuant to Public Law 92-544 (86 Stat. 1115) for use in connection with licensing or local/state employment or for other uses only if such dissemination is authorized by Federal or state statutes and approved by the Attorney General of the United States. Refer to §50.12 of this chapter for dissemination guidelines relating to requests processed under this paragraph.
- (4). For issuance of press releases and publicity designed to effect the apprehension of wanted persons in connection with serious or significant offenses.

(b). The exchange of criminal history record information authorized by paragraph (a) of this section is subject to cancellation if dissemination is made outside the receiving departments or related agencies.

(c). Nothing in these regulations prevents a criminal justice agency from disclosing to the public factual information concerning the

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status of an investigation, the apprehension, arrest release, or prosecution of an individual, the adjudication of charges, or the correctional status of an individual, which is reasonably contemporaneous with the event to which the information relates.

[Order No. 601-75, 40 FR 22114, May 20, 1975, as amended by Order No. 1432-90, 55 FR 32075, Aug. 7, 1990]

§ 20.34 Individual's right to access criminal history record information.

(a). Any individual, upon request, upon satisfactory verification of his identity by fingerprint comparison and upon payment of any required processing fee, may review criminal history record information maintained about him in a Department of Justice criminal history record information system.

(b). If after reviewing his identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his challenge as to the accuracy or completeness of any entry on his record to the Assistant Director of the FBI Identification Division, Washington, DC 20537. The FBI will then forward the challenge to the agency, which submitted the data requesting that agency to verify or correct the challenged entry. If the contributing agency corrects the record, it shall promptly notify the FBI and, upon receipt of such a notification, the FBI will make any changes necessary in accordance with the correction supplied by the contributor of the original information.

(Order No. 601-75, 40 FR 22114, May 20, 1975, as amended by Order No. 835-78, 43 FR 50173, Oct. 27, 1978]

§ 20.36 National Crime Information Center Advisory Policy Board.

There is established an NCIC Advisory Policy Board whose purpose is to recommend to the Director, FBI, general policies with respect to the philosophy,

concept and operational principles of NCIC, particularly its relationships with local and state systems relating to the collection, processing, storage, dissemination and use of criminal history record information contained in the CCH File.

(28 U.S.C. 509, 510, 535: 5 Q.S.C. 301)

[Order No. 601-75. 40 FR 22114, May 20, 1975, as amended by Order No. 819-79, 44 FR 12031, Mar. 5, 1979]

§ 20.36 Participation in the Computerized Criminal History Program.

(a).

(1). The Board shall be composed of twenty-six members, twenty of whom are elected by the NCIC users from across the entire United States and six who are appointed by the Director of the FBI. The six appointed members two each from the judicial, the corrections and the prosecutive sectors of the criminal justice community, shall serve for an indeterminate period of time. The twenty elected members shall serve for a term of two years commencing on January 5th of each odd numbered year.

(a). For the purpose of acquiring and retaining direct access to CCH File each criminal justice agency shall execute a signed agreement with the Director, FBI, to abide by all present rules, policies and procedures of the NCIC, as well as any rules, policies and procedures hereinafter approved by the NCIC Advisory Policy Board and adopted by the NCIC.

(2). The Board shall be representative of the entire criminal justice community at the state and local levels and shall include representation from law enforcement, the courts and corrections segments of this community.

(b). Entry of criminal history record information into the OCR File will be accepted only from an authorized state or Federal criminal justice control terminal. Terminal devices in other authorized criminal justice agencies will be limited to inquiries.

(b). The Board shall review and consider rules, regulations and procedures for the operation of the NCIC.

§ 20.37 Responsibility for accuracy, completeness, currency.

(c). The Board shall consider operational needs of criminal justice agencies in light of public policies, and local, state and Federal statutes and these regulations.

It shall be the responsibility of each criminal justice agency contributing data to any Department of Justice criminal history record information system to assure that information on individuals is kept complete, accurate and current so that all such records shall contain to the maximum extent feasible dispositions for all arrest data included therein. Dispositions should be submitted by criminal justice agencies within 120 days after the disposition has occurred.

(d). The Board shall review and consider, on a continuing basis, security and privacy aspects of the NCIC system and shall as needed, appoint ad hoc subcommittees to provide information and recommendations to the Board concerning security and privacy of the NOW system.

§ 20.38 Sanction for noncompliance.

(e). The Board shall recommend standards for participation by criminal justice agencies in the NCIC system.

The services of Department of Justice criminal history record Information systems are subject to cancellation in regard to any agency or entity, which fails to comply with the provisions of subpart C.

(f). The Board shall report directly to the Director of the FBI or his designated appointee.

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(g). The Board shall operate within the purview of the Federal Advisory Committee Act, Public Law 92-463, and 86 Stat. 770.

Subpart A-§ 20.3(b).

(h). The Director, FBI, shall not adopt recommendations of the Board, which would be in violation of these regulations.

The definition of criminal history record information is intended to include the basic offender-based transaction statistics/computerised criminal history (OBTS/CCE) data elements.

If notations of an arrest, disposition, or other formal criminal justice transactions occur in records other than the traditional "rap sheet" such as arrest reports, any criminal history record information contained in such reports comes under the definition of this subsection.

The definition however does not extend to other information contained in criminal justice agency reports. Intelligence or Investigative information (e.g., suspected criminal activity, associates, hangouts, financial information, ownership of property and vehicles) is not included in the definition of criminal history information.

§ 20.3(c). The definitions of criminal justice agency and administration of criminal justice of § 20.3(c) must be considered together. Included, as criminal justice agencies would be traditional police, courts, and corrections agencies as well as subunits of noncriminal justice agencies performing inaction of the administration of criminal justice pursuant to Federal or State statute or executive order. The above subunits of noncriminal justice agencies would include for example the Office of Investigation of the U.S. Department of Agriculture, which has as its principal function the collection of evidence for criminal prosecutions of fraud. Also Included under the definition of criminal justice agency are umbrella-type administrative agencies supplying criminal history information services such as New York's Division of Criminal Justice Services.

§ 20.3(e). Disposition is a key concept in section 524(b) of the Act and in 120.21(a)(1) and 120.21(b). It therefore is defined in some detail. The specific dispositions listed in this subsection are examples only and are not to be construed as excluding other unspecified transactions concluding criminal proceedings within a particular agency.

§ 20.3(k). The different kinds of acquittals and dismissals as delineated in 120.3(e) are all considered examples of nonconviction data.

Subpart B - § 20.20(a). These regulations apply to criminal justice agencies receiving funds under the Omnibus Crime Control and Safe Streets Act for manual or automated systems subsequent to July 1, 1973.

In the hearings on the regulations, a number of those testifying challenged LEAA's authority to promulgate regulations for manual systems by contending that section 524(b) of the Act governs criminal history information contained in automated systems.

The intent of section 524(b), however, would be subverted by only regulating automated systems. Any agency that wished to circumvent the regulations would be able to create duplicate manual files for purposes contrary to the letter and spirit of the regulations.

Regulation of manual systems, therefore, is authorized by section 524(b) when coupled with section 501 of the Act which authorizes the Administration to establish rules and regulations "necessary to the exercise of its functions * * *."

The Act clearly applies to all criminal history record information collected, stored, or disseminated with LEAA support subsequent to July 1, 1973.

Limitations as contained in subpart C also apply to information obtained from the FBI Identification Division or the FBI/NCIC System.

§ 20.20 (b) and (c). Section 20.20 (b) and (c) exempts from regulations certain types of records vital to the apprehension of fugitives, freedom of the press, and the public's right to know. Court records of public judicial proceedings are also exempt from the Provisions of the regulations.

Section 20.20(b)(2) attempts to deal with the problem of computerized police blotters. In some local jurisdictions, it is apparently possible for private individuals and/or newsmen upon submission of a specific name to obtain through a computer search of the blotter a history of a person's arrests. Such files create a partial criminal history data bank potentially damaging to individual privacy, especially since they do not contain final dispositions. By requiring that such records be accessed solely on a chronological basis, the regulations limit Inquiries to specific time periods and discourage general fishing expeditions into a person's private life.

Subsection 20.20(c) recognizes that announcements of ongoing developments in the criminal justice process should not be precluded from public disclosure. Thus announcements of arrest, convictions, and new developments in the course of an investigation may be made. It is also permissible for a criminal justice agency to confirm certain matters of public record information upon specific inquiry. Thus, if a question is raised: "Was X arrested by your agency on January 3, 1975" and this can be confirmed or denied by looking at one of the records enumerated in subsection (b) above, then the criminal justice agency may respond to the inquiry. Conviction data as stated in 120.21(b) may be disseminated without limitation.

§ 20.21. The regulations deliberately refrain from specifying who within a State should be responsible for preparing the plan. This specific determination should be made by the Governor. The State has 90 days from the publication of these revised regulations to submit the portion of the plan covering § 20.21(b) and 20.21(1).

§ 20.21(a)(1). Section 524(b) of the Act requires that LEAA insure criminal history information be current and that, to the maximum extent feasible, it contain disposition as well as current data.

It is however, economically and administratively impractical to maintain complete criminal histories at the local level. Arrangements for local police departments to keep track of dispositions by agencies outside of the local jurisdictions generally do not exist. It would, moreover, be bad public policy to encourage such arrangements since it would result in an expensive duplication of files.

The alternatives to locally kept criminal histories are records maintained by a central State repository. A central State repository is a State agency having the function pursuant to a statute or executive order of maintaining comprehensive statewide criminal history record information files. Ultimately, through automatic data processing the State level will have the capability to handle all requests for in-State criminal history information.

Section 20.20(aX1) is written with a centralized State criminal history repository in mind.

The first sentence of the subsection states that complete records should be retained at a central State repository. The word "should" is permissive: it suggests but does not mandate a central State repository.

The regulations do require that States establish procedures for State and local criminal justice agencies to query central State repositories wherever they exist. Such procedures are intended to insure that the most current criminal justice information is used.

As a minimum, criminal justice agencies subject to these regulations must make inquiries of central State repositories whenever the repository is capable of meeting the user's request within a reasonable time. Presently comprehensive records of an individual's transactions within a State are maintained in manual files at the State level, if at all. It is probably unrealistic to expect manual systems to be able immediately to meet many rapid-access needs of police and prosecutors. On the other hand, queries of the State central repository for most noncriminal justice purposes probably can and should be made prior to dissemination of criminal history record information.

§ 20.21(b). The limitations on dissemination in this subsection are essential to fulfill the mandate of section 524(b) of the Act, which requires the Administration to assure that the "privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal Justice and other lawful purposes." The categories for dissemination established in this section reflect suggestions by hearing witnesses and respondents submitting written commentary.

The regulations distinguish between conviction and nonconviction information insofar as dissemination is concerned. Conviction information is currently made available without limitation in many jurisdictions. Under these regulations, conviction data and pending charges could continue to be disseminated routinely. No statute, ordinance, executive order, or court rule is necessary in order to authorize dissemination of conviction data. However, nothing in the regulations shall be construed to negate a State law limiting such dissemination.

After December 31, 1977, dissemination of nonconviction data would be allowed, if authorized by a statute, ordinance, executive order, or court rule, decision, or order. The December 31, 1977, deadline allows the States time to review and determine the kinds of dissemination for non-criminal justice purposes to be authorized. When a State enacts comprehensive legislation in this area, such legislation will govern dissemination by local jurisdictions within the State. It is possible for a public record law, which has been construed by the State to authorize access to the public of all State records, including criminal history record information, to be considered as statutory authority under this subsection. Federal legislation and executive orders can also authorize dissemination and would be relevant authority.

For example, Civil Service suitability Investigations are conducted under Executive Order 10450. This is the authority for most investigations conducted by the Commission.

Section 3(a) of 10150 prescribes the minimum scope of investigation and requires a check of FBI fingerprint files and written inquiries to appropriate law enforcement agencies.

§ 20.21(b)(3). This subsection would permit private agencies such as the Vera Institute to receive criminal histories where they perform a necessary administration of justice function such as pretrial release. Private consulting firms which commonly assist criminal justice agencies in information systems development would also be included here.

§ 20.21(b)(4). Under this subsection, any good faith researchers including private Individuals would be permitted to use criminal history record information for research purposes. As with the agencies designated in § 20.21(b)(3) researchers would be bound by an agreement with the disseminating criminal justice agency and would, of course, be subject to the sanctions of the Act.

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The drafters of the regulations expressly rejected a suggestion, which would have limited access for research purposes to certified research organizations. Specifically "certification" criteria would have been extremely difficult to draft and would have inevitably led to unnecessary restrictions on legitimate research.

Section 524(a) of the Act which forms part of the requirements of this section states: "Except as provided by Federal law other than this title, no officer or employee of the Federal Government, nor any recipient of assistance under the provisions of this title shall use or reveal any research or statistical information furnished under this title by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this title. Copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action suit, or other judicial or administrative proceedings."

LEAA anticipates issuing regulations, pursuant to section 524(a) as soon as possible.

§ 20.21(c)(2). Presently some employers are circumventing State and local dissemination restrictions by requesting applicants to obtain an official certification of no criminal record. An employer's request under the above circumstances gives the applicant the unenviable choice of invasion of his privacy or loss of possible job opportunities. Under this subsection routine certifications of no record would no longer be permitted. In extraordinary circumstances, however, an individual could obtain a court order permitting such a certification.

§ 20.21(c)(3). The language of this subsection leaves to the States the question of who among the agencies and individuals listed in § 20.21(b) shall actually receive criminal records. Under these regulations a State could place a total ban on dissemination if it so wished. The State could, on the other hand, enact laws authorizing any member of the private sector to have access to non-conviction data.

§ 20.21(d). Non-criminal justice agencies will not be able to receive records of juveniles unless the language of a statute or court order, rule, or court decision specifies that juvenile records shall be available for dissemination. Perhaps the most controversial part of this subsection is that it denies access to records of juveniles by Federal agencies conducting background investigations for eligibility to classified information under existing legal authority.

§ 2021(e) Since it would be too costly to audit each criminal justice agency in most States (Wisconsin, for example, has 1075 criminal justice agencies) random audits of a "representative sample" of agencies are the next best alternative. The term "representative sample" is used to insure that audits do not simply focus on certain types of agencies. Although this subsection requires that there be records kept with the names of all persons or agencies to whom information is disseminated, criminal justice agencies are not required to maintain dissemination logs for "no record" responses.

§ 20.21(f). Requirements are set forth which the States must meet in order to assure that criminal history record information is adequately protected. Automated systems may operate in shared environments and the regulations require certain minimum assurances.

20.21(g) (1). A "challenge" under this section is an oral or written contention by an individual that his record is inaccurate or incomplete; it would require him to give a correct version of his record and explain why he believes his version to be correct. While an individual should have access to his record for review, a copy of the record should ordinarily only be given when it is clearly established that it is necessary for the purpose of challenge.

The drafters of the subsection expressly rejected a suggestion that would have called for a satisfactory verification of identity by fingerprint comparison. It was felt that States ought to be free to determine other means of identity verification.

§ 30.21(g) (5). Not every agency will have done this in the past, but henceforth adequate records including those required under 20.21(e) must be kept so that notification can be made.

§ 20.21(gX6). This section emphasizes that the right to access and review extends only to criminal history record information and does not include other information such as intelligence or treatment data.

§ 20.22(a). The purpose for the certification requirement is to indicate the extent of compliance with these regulations. The term "maximum extent feasible" acknowledges that there are some areas such as the completeness requirement, which create complex legislative and financial problems.

NOTE: In preparing the plans required by these regulations, States should look for guidance to the following documents: National Advisory Commission on Criminal Justice Standards and Goals. Report on the Criminal Justice System: Project SEARCH: Security and Privacy Considerations in Criminal History Information Systems. Technical Reports No. 2 and No. 13; Project SEARCH: A Model State Act for Criminal Offender Record Information. Technical Memorandum No. 3; and Project SEARCH: Model Administrative Regulations for Criminal Offender Record Information, Technical Memorandum No. 4.

Subpart C-420.31. Defines the criminal history record information system operated by the Federal Bureau of Investigation. Each state having a record in the Computerized Criminal History (CCH) file must have a fingerprint card on file in the FBI Identification Division to support the CCH record concerning the individual.

Paragraph (b) is not intended to limit the identification services presently performed by the FBI for Federal, state and local agencies.

§ 20.32. The grandfather clause contained in the third paragraph of this section is designed, from a practical standpoint, to eliminate the necessity of deleting from the FBI's massive files the non-includable offenses which were stored prior to February, 1973.

In the event a person is charged in court with a serious or significant offense arising out of an arrest involving a non-includable offense, the non-includable offense will appear in the arrest segment of the CCH record.

Section 20.33. Incorporates provisions cited in 28 CFR 50.12 regarding dissemination of identification records outside the Federal Government for noncriminal justice purposes.

§ 20.34. The procedures by which an individual may obtain a copy of his manual identification record are particularized in 28 CFR 16.30-34.

The procedures by which an individual may obtain a copy of his Computerized Criminal History record are as follows:

If an individual has a criminal record supported by fingerprints and that record has been entered in the NCIC CCH File, it is available to that individual for review, upon presentation of appropriate identification, and in accordance with applicable state and Federal administrative and statutory regulations.

Appropriate identification includes being fingerprinted for the purpose of insuring that he is the individual that he purports to be. The record on file will then be verified as his through comparison of fingerprints.

Procedure.

(1). All requests for review must be made by the subject of his record through a law enforcement agency, which has access to the NCIC CCH File. That agency within statutory or regulatory limits can require additional identification to assist in securing a positive identification.

(2). If the cooperating law enforcement agency can make an identification with fingerprints previously taken which are on file locally and if the FBI identification number of the Individual's record is available to that agency. It can make an on-line inquiry of NCIC to obtain his record on-line or, if it does not have suitable equipment to obtain an on-line response, obtain the record from Washington, D.C. by mail.

The individual will then be afforded the opportunity to see that record.

(3). Should the cooperating law enforcement agency not have the individual's fingerprints on file locally, It is necessary for that agency to relate his prints to an existing record by having his identification prints compared with those already on file in the FBI or, possibly, in the State's central identification agency.

(4). The subject of the requested record shall request the appropriate arresting agency, court, or correctional agency to initiate action necessary to correct any stated inaccuracy In his record or provide the information needed to make the record complete.

§ 20.36. This section refers to the requirements for obtaining direct access to the CCH file.

§ 20.37. The 120-day requirement in this section allows 30 days more than the similar provision in subpart B in order to allow for processing time which may be needed by the states before forwarding the disposition to the FBI.

[Order No. 662-76, 41 FR 34949, Aug. 18, 1976, as amended by Order No. 1438-90. 55 FR 32075, Aug. 7, 1990]

PART 21—WITNESS FEES

Sec.

21.1 Definitions.

21.2 Employees of the United States serving as witnesses.

21.3 Aliens.

21.4 Fees and allowances of fact witnesses.

21.5 Use of table of distances.

21.6 Proceedings in forma pauperis.

21.7 Certification of witness attendance.

Authority: 28 U.S.C. 509. 510. 1821-1825. 5 U.S.C. 301.

SOURCE: 51 FR 16171. May 1. 1986. unless otherwise noted.

§ 21.1 Definitions.

(a). Agency proceeding. An agency process as defined by 5 U.S.C. 551 (5), (7) and (9).

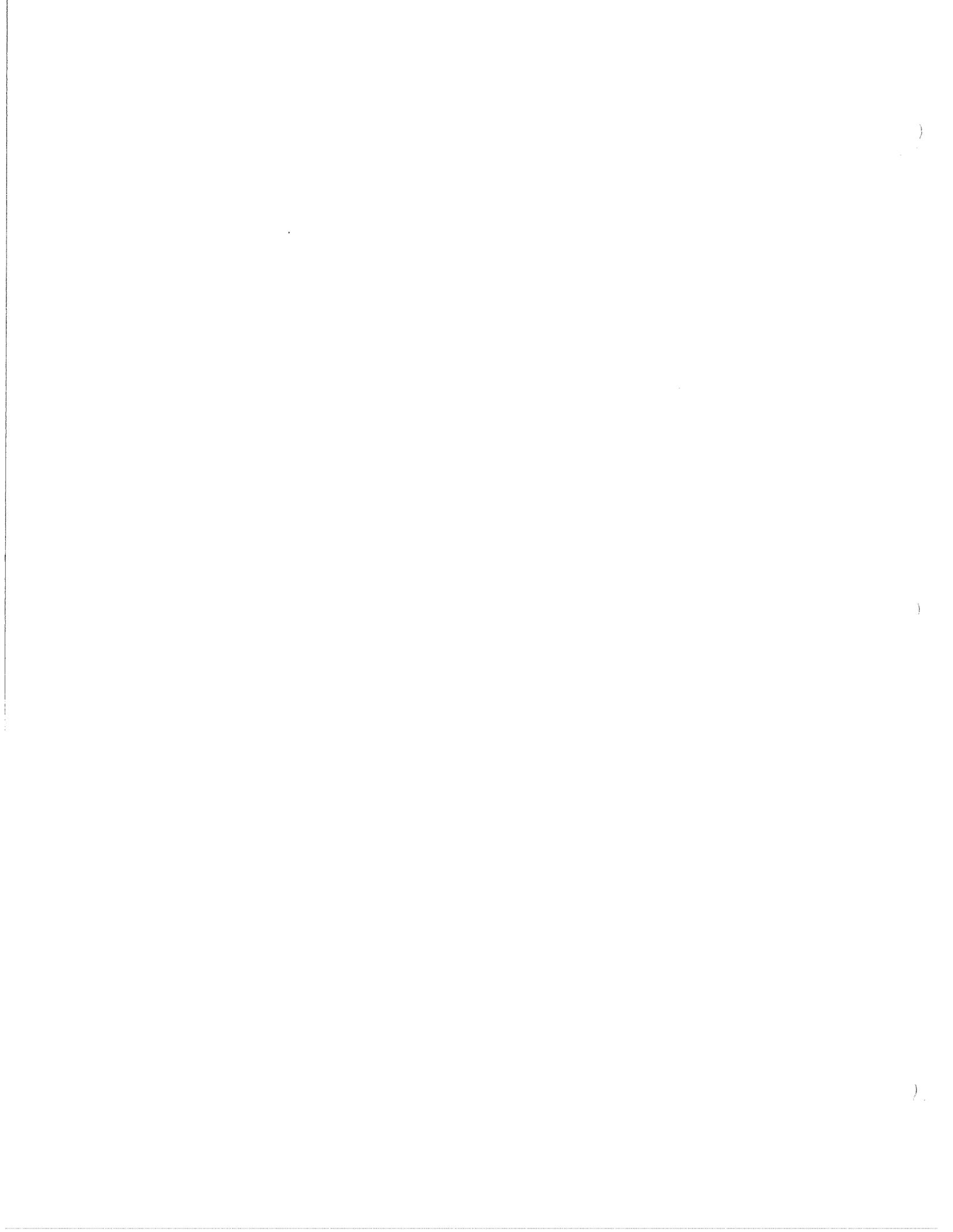
(b). Alien. Any person who is not a citizen or national of the United States.

(c). Judicial proceeding. Any action or suit, including any condemnation, preliminary, informational or other proceeding of a judicial nature. Examples of the latter include, but are not limited to hearings and conferences before a committing court, magistrate, or commission, grand jury proceedings, pre-trial conferences, depositions, and coroners' inquests. It does not include information or investigative proceedings conducted by a prosecuting attorney, for the purpose of determining whether an information or charge should be made in a particular case. The judicial proceeding may be in the District of Columbia, a State, or a territory or possession of the United States including the Commonwealth of Puerto Rico or the Trust Territory of the Pacific Islands.

(d). Pre-trial conference. A conference between the Government Attorney and a witness to discuss the witness' testimony. The conference must take place after a trial, hearing or grand jury proceeding has been scheduled but prior to the witness' actual appearance at the proceeding.

(e). Residence. The term residence is not limited to the legal residence, but includes any place at which the witness is actually residing and at which the subpoena or summons is served. If the residence of the witness at the time of appearance is different from the place of subpoena or summons, the new place of residence shall be considered the witness' residence for computation of the transportation allowance; but if the witness is on a business or vacation trip at the time of appearance, the witness shall be paid for travel from the place of service if this does not result in the witness being paid for more travel than is actually performed.

(f). Summons. An official request, invitation or call, evidenced by an official writing of the court, authority, or



APPENDIX B

PORT AUTHORITY POLICE

One PATH Plaza, Second Floor
Jersey City, New Jersey 07306



SECONDARY AGENCY COMPUTERIZED CRIMINAL HISTORY RECORD RECEIPT

DATE	TIME	COUNTY <input type="checkbox"/> ESSEX <input type="checkbox"/> UNION <input type="checkbox"/> BROOKLYN <input type="checkbox"/> OTHER <input type="checkbox"/> HUDSON <input type="checkbox"/> RICHMOND <input type="checkbox"/> BRONX <input type="checkbox"/> BERGEN <input type="checkbox"/> QUEENS <input type="checkbox"/> MANHATTAN	AGENCY <input type="checkbox"/> SHERIFF <input type="checkbox"/> OTHER <input type="checkbox"/> JAIL <input type="checkbox"/> PROSECUTOR
DEFENDANT INFORMATION			
LAST NAME		FIRST NAME	MIDDLE NAME
DOB	SOC. SEC. #	SEX	RACE
SBI		FBI	
ARRESTING OFFICER INFORMATION			
NAME		COMMAND:	SHIELD NO
RECEIVING AGENT INFORMATION			
NAME PRINT		RANK	SHIELD NO.
SIGNATURE			
WARNING			
<p>Any agency or agent thereof, receiving Criminal History Record Information (CHRI) from any source may not disseminate that information orally or in writing to any other individual or agency that would not otherwise be entitled to receive the (CHRI).</p> <p>Any agency or agent thereof, violating Title 28 of the CFR is subject to a fine not to exceed \$10,000. In addition to the penalties prescribed in Title 28, the Privacy Act of 1974 (Public Law 93-579) provided, in part, that "Any person who knowingly and willfully acquires or obtains any record, concerning an individual, from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than \$5,000".</p>			
AFFIRMATION			
<p>The Computerized Criminal History Record received on the date and time indicated, and on the subject mentioned above will be handled in a manner consistent with the security and privacy concepts regarding Criminal History Records set forth in Title 28, Chapter 1, Part 20 of the Code of Federal Regulations (CFR).</p>			

To: All Members of the Force



INTERIM ORDER

One of a police department's responsibilities is the enforcement of laws, which invariably lead to the arrest of individuals. Often, these individuals default in their responsibilities to the Criminal Justice System and an order for his/her arrest must be issued, which is known as a warrant. The execution of a warrant is the vehicle by which an individual is brought to answer for his/her transgression. However, in order to safeguard against any, criminal, and/or civil liabilities, procedures must be put in place to ensure a smooth and trouble-free warrant execution. Hence, police departments promulgate policies to guide its members through this process. The following is department's policy regarding the maintenance and execution of warrants found in the New Jersey Municipal Court System, which are also known as Automated Traffic System Warrants (ATS) and Automated Complaint System Warrants (ACS).

I. PURPOSE:

The purpose of this Interim Order is to establish a standardized method of entering and monitoring warrants entered into the New Jersey Municipal court System Data base.

II. POLICY:

Effective immediately, the following guidelines shall be followed and adhered to as they relate to Automated Traffic and Automated Complaint System (ATS/ACS) Warrants, which have been entered into the Administrative Office of Courts (AOC) Database by a municipal court as a result of a defendant defaulting with a court mandate.

1. Entry of ATS and ACS into the New Jersey Municipal court System warrants will remain the responsibility of the local municipal court.
2. Whenever a traffic warrant (ATS) or a criminal warrant (ACS) is issued by the municipal court for entry into the New Jersey Municipal Court Database, all information shall be obtained and furnished to the Telecommunications Unit in order that a New Jersey Wanted Person System (NJWPS) entry can be made.

To: All Members of the Force

3. Extradition limitations for all traffic warrants entered into the NJWPS shall not exceed the Port Authority twenty-five (25) mile radius plus adjoining counties*. In the event that a supervisor determines that a broader radius is necessary, he/she shall secure an authorization from the Commanding Officer to obtain the expanded radius. Criminal Warrants (ACS) have no geographic limitations within the State of New Jersey.

*Note: The counties are Bergen Burlington, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren.

4. A Criminal Complaint Report or Follow-Up shall be forwarded to the Telecommunications Unit, via Fax, along with:
 - a. Wanted Person Entry Form.
 - b. Copy of the bench warrant, which must be signed by the court.
5. Prior to performing a NJWPS entry, the Telecommunications Personnel shall search the following files in order to obtain all relevant information on the subject:
 - a. A wanted person inquiry to ensure that a duplicate record does not exist.
 - b. Interstate Identification Index.
 - c. New Jersey Master Name Index.
 - d. Department of Motor Vehicle Data Base (both New Jersey and out-of-state).
 - e. New Jersey Municipal Court System: Automated Traffic System and Automated Complaint System (ATS/ACS).
6. Once all the information on the subject is known, the Telecommunications Unit shall make the entry, ensuring that all relevant information is entered in the NJWPS (i.e., all aliases, scars, marks & tattoos, additional social security numbers, DOBs, miscellaneous numbers, etc.) In addition, the extradition limitation shall be explicitly stated in the "Additional Comments" field (i.e., extradite from the above named counties only).
7. Upon apprehension of an ACS fugitive (criminal warrant) or an ATS (traffic warrant) within the above named counties by another agency, the following steps shall be taken:

To: All Members of the Force

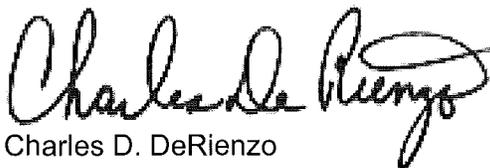
- a. A Hit Confirmation reply message indicating the status of the warrant shall be transmitted immediately. This shall not take more than TEN (10) MINUTES.
- b. The Telecommunications Unit shall contact the command handling the case in order that pickup arrangements can be made.

Note: In cases where the subject cannot be picked up immediately due to manpower constraints, the department that has made the apprehension shall be advised of the delay and a "HOLD" placed on the subject. Individuals wanted in connection to a traffic ticket warrant outside of the extradition limitations shall be directed to report the municipal court where the traffic ticket must be satisfied.

- c. Once pickup arrangements are made, the agency holding the subject shall be notified of that fact.
 - d. Once a locate is placed by the apprehending agency, the record shall be cleared by the Telecommunications Unit.
8. Escorting officers shall pick up the subject in a marked, caged police vehicle that is equipped with a New Jersey SPEN radio. The prisoner will be restrained using a waist and leg shackle and placed in the rear seat of the vehicle, and secured with the seat restraint.

All members of the force are reminded that timely entries are essential. This Interim Order shall remain in effect until such time that Police Operations Instruction (POI) is published concerning ATS/ACS warrants.

By Order of:



Charles D. DeRienzo
Superintendent of Police/
Director, Public Safety Department





INTERIM ORDER

PURPOSE

To establish procedures on the proper handling of persons arrested and detained at Port Authority Police Commands.

POLICY

It is the policy of the Port Authority Police Department to ensure the safety and welfare of all detainees as well as the safety of arresting officers. Every effort must be made to ensure and maintain the safe condition of persons detained and to provide humane and professional treatment during all arrest processing and temporary detention situations.

PROCEDURE

This Interim Order defines the duties and responsibilities of police officers and supervisors during post arrest detention.

ARRESTING OFFICER

- Is responsible for the welfare of prisoner in compliance with this Interim Order, as well as P.O.I. 6-2 "Safeguarding of Prisoners" and P.D.I. 4-19 "Search of Arrested Persons".
- Will notify Desk Officer to have a supervisor respond to witness and process intake.
- Will secure firearm(s) and other items such as knives, batons, chemical sprays, etc., in the weapons locker before entering cell area.

Search of Prisoners before Placing in Detention Cells

In those Port Authority commands equipped with temporary holding rooms/cells, the Tour Commander or his/her designee, shall be responsible for the temporary room/cells, including all security procedures, the management of personnel and any prisoner(s).

Only a member of the same sex as the prisoner will conduct search of prisoner. Search will be conducted in presence of a supervisor. This will include the use of the magnetic

wand.

Arresting officers shall remove from a detainee's possession, all personal property, except essential clothing, paying particular attention to:

- Items of contraband;
- Evidentiary items;
- Items that could be life threatening;
- Items which could facilitate an escape;
- All funds; and
- Items, which could be used to damage or deface property.

All items removed from prisoner will be inventoried in the prisoner's presence and recorded on a Port Authority Prisoner Property form (PA 2749- Attachment A). A copy will be furnished to the prisoner. The prisoner's property will be secured in a prisoner property envelope and placed in the locked box deemed "Prisoner Property". Evidence will be inventoried on the Port Authority Police Department Property and Evidence Receipt form (PA 3972- Attachment B), and secured in an envelope and placed in the command's evidence room.

Prisoner property will be returned to prisoner upon release. If prisoner is transferred to another facility and property is stored by the Port Authority Police, prisoner must request return of property. In all cases, prisoner will acknowledge receipt of all property by signing Prisoner Property Inventory Receipt form (PA 2749). In cases where a prisoner cannot physically return to pick up property, the property can be given to any person designated by the former detainee as long as designee has a notarized letter stating that they are authorized to pick up property. Identification must be verified before release of property.

PLACEMENT OF INDIVIDUALS IN CELLS

Male, female, and juvenile prisoners shall be separated by sight and sound from one another. At no time will a juvenile be placed in an adult holding cell. Juveniles will be held in areas designated by the Commanding Officer for juveniles.

Verification of Prisoner Identification

Positive identification of prisoners shall be verified prior to release.

PHYSICAL CONDITION AND SUPERVISION OF DETAINEE

Upon placement of prisoner in cell, the time will be documented in cell log.

Prior to being placed in a cell, prisoners will be asked if they have any injuries, are under a doctor's care, or are required to take medication. In all cases, the arresting officer/assigned officer shall note any physical deformities, injuries, or obvious signs of illness, intoxication or substance abuse by recording such information in the Cell Log as well as taking a photo of the prisoner. If a prisoner exhibits any signs of illness, injury or loss of consciousness or complains of such, medical attention will be provided. For hospitalization adhere to P.O.I. 6-2 "Safeguarding of Prisoners". For a prisoner in New York that must be arraigned in a hospital due to an injury, follow procedure in P.D.I. 4-16 "Bedside Arraignment".

Physical checks are essential for ensuring prisoner safety and preventing escape. Physical checks of the prisoner will be conducted every 30 minutes. Closer surveillance, which includes cell checks at least every 15 minutes, shall be made for detainees who are:

- A security risk;
- A suicide risk;
- Demonstrating unusual or bizarre behavior; and/or
- Exhibiting signs of mental illness.

Constant monitoring will be provided on an as needed basis as determined by Tour Commander or other supervisor.

The condition of the prisoner shall be documented in the Cell Log notating the time, and signed by the officer conducting the check. It will be the responsibility of the arresting/assigned officer to complete the checks up until such time as the arrest processing is completed. Once completed, a designated officer will resume responsibility until detainee is transported to another detention facility or released. When there is a detainee in the cell, the audio and video systems will be constantly monitored by desk officers. Electronic monitoring is not a substitute for physical checks.

If prisoner is removed from cell for any reason, the date, time and reason for removal must be documented in cell log. If a prisoner needs to be placed in an area other than a holding cell, they must not be left unattended.

The prisoner shall be afforded the opportunity to make telephone calls for purposes of, but not limited to, notifying relatives, obtaining legal representation, and posting bail. All phone numbers and times shall be listed in Cell Log. All attorney-client calls shall be confidential and not recorded.

Prisoners will be provided meals and drinks three times a day if applicable, by a contracted vendor. Meals are to be recorded in the cell log. Absolutely no utensils will be allowed inside cells. Any remaining food containers will be removed immediately from cell area. Blankets will be provided on an as-needed basis.

Unauthorized persons are prohibited from entering the cell area.

DEATH OF PERSON IN A CELL OR HOLDING ROOM

If, while in police custody, a prisoner dies, the following notifications shall be made:

The Tour Commander shall immediately notify:

- EMS
- Medical Examiner's Office
- Commanding Officer
- Central Police Desk
- Superintendent of Police and Deputy Director
- Inspector on duty
- Commanding Officer, Criminal Investigation Bureau

The cell area is to be secured and protected as a crime scene until the Commanding Officer, CIB or designee arrives, and determines that it is no longer a crime scene.

In New Jersey, the death notification must be made to the Chief of The Bureau of County Services – Department of Corrections within three (3) working days. A report in writing must be furnished to this department within two (2) weeks.

In New York, notification must be made to the New York State Commission of Corrections within six (6) hours of the death and a report in writing must be furnished within ten (10) days. The reports shall contain at a minimum, the following information:

- Detainee's name, age, and gender;
- Date and time of admission into the cell or holding room;
- Reason for placement in cell or holding room;
- Logbook entries noting the times of each physical cell check;
- Circumstances surrounding the death; and
- Findings of the investigation

SECURITY AND CONTROL OF DETENTION CELLS

- All weapons are prohibited from cell area.
- Cells will be inspected daily by the Patrol Supervisor or his/her designee to check for damage, vermin, or secreted weapons and contraband. Results of inspection shall be clearly documented in cell log. Any discrepancies shall be immediately reported to the Tour Commander.

- Cells will be re-inspected when placing or removing prisoners from cell.
- Building services will clean unoccupied cells daily.
- The cell keys will be kept in the arrest processing area and the spare keys will be stored in the Tour Commander's office;
- Cell doors will remain open when not in use; and
- Panic strip alarms will be tested daily to ensure they are operational. When not operational, arresting/assigned officer will communicate to desk via the portable radio located in the arrest processing room.

FIRE SAFETY AND EVACUATION PROCEDURE

- Cell areas will be equipped with fire extinguishers and automatic fire/heat/smoke detection systems.
- Emergency evacuation routes are clearly posted throughout cellblock areas.
- First Aid kit will be readily accessible and replenished as necessary. Weekly inspections will be documented on the First Aid Kit Inspection Record.

In the event of a fire or hazardous condition:

- The local fire department will be notified.
- Police Officers on patrol may be called in to assist in the evacuation.
- Prisoners will be immediately removed from cells, handcuffed and secured in a transport vehicle.
- Prisoners will be transported to the nearest police command equipped with cells and housed in the cells at that facility.
- If feasible, the arresting/transporting officer will remain at that command to monitor the prisoners.
- The Cell Log will be removed and transported with the prisoners.

PRISONER ESCAPE

In the event of an escape by a prisoner held in a detention cell, immediate efforts shall be made for his/her apprehension. Jailer/desk officer will make the following notifications:

- Tour Commander and Commanding Officer.
- All officers on patrol.
- Prisoner's information should be broadcasted, and shall include the prisoner's description, direction of flight, if dangerous, etc.
- CPD (to issue full alarm and make SPEN notification).

- Cell area will be secured for preservation of evidence and inspection.
- An investigation shall be initiated into the circumstances surrounding the escape to determine the reason for the escape and any recommendations to prevent future escapes.

Any escape or other incidents that threaten the security of the facility or any persons therein shall be documented on a PA2265 and submitted to the facility Commanding Officer along with a CCR.

ACCEPTING DETAINEES FROM OUTSIDE AGENCIES

Any time a prisoner is received into a Port Authority holding cell by an outside agency, the Patrol Supervisor must verify the authority of the individual lodging said prisoner, and the approximate duration of the commitment. Information regarding such shall be documented in the cell log. Upon release, the Patrol Supervisor must verify the credentials and authority of the person collecting the prisoner and document the release in the cell log.

In all cases when a prisoner is received from an outside agency due to a warrant we must verify warrant through CPD.

LODGING DETAINEES IN NON-PORT AUTHORITY FACILITIES

Officers lodging prisoners in a non-Port Authority facility will adhere to that municipality's rules and regulations.

DETAINEES RIGHTS

- An opportunity to make bail and have a timely court appearance shall not be impeded.
- Detainees will be afforded the opportunity to make a phone call or calls within a reasonable time. Calls will be documented in the cell log. Prisoner will be notified if calls are being recorded.
- Phone use will be allowed at the convenience of the arresting officer.
- If a detainee phones his attorney and requests privacy, every effort should be made to allow him/her to have a confidential conversation.
- Prisoners who are detained during any of the usual three (3) daily meal hours shall be provided with a hot or cold meal.
- A record of meals provided, including a notation of the prisoner's refusal thereof will be indicated in the cell log.
- Cells will be equipped with a sitting or sleeping area, toilet and a functioning sink.

VISITATION RIGHTS AND RECEIVING PARCELS

The Port Authority of NY & NJ does not have facilities available for prisoner visitation. Therefore, it is the policy of this department not to allow visits for prisoners. Exceptions may be made at the discretion of the facility Commanding Officer.

It is the policy of the Port Authority Police Department not to allow prisoners to receive packages or mail of any kind while detained.

TRAINING

The Police Academy will conduct cellblock detention refresher training to all members of the force at least once every three (3) years. Initial training will be provided to all police recruits while assigned to the Police Academy recruit-training program.

CELL BLOCK INSPECTIONS

Temporary detention cells and rooms will be inspected annually in New York by the State Commission Of Correction, and in New Jersey by the New Jersey Department of Corrections.

By Order of:



MICHAEL A. FEDORKO
Superintendent of Police
Director, Public Safety Department

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13



PRISONERS PERSONAL PROPERTY INVENTORY RECEIPT

PA 2749 / 01-08

Command: -Select One- Case #/CCR #: Arrest #: Date: Time: :

Prisoner's Name:

Prisoner's Address:

Charges:

PRISONER PERSONAL PROPERTY RETAINED FOR SAFEKEEPING (IF NONE, WRITE "NONE")

Total Money:	Bills						Coins					
	\$1	\$5	\$10	\$20	\$50	\$100	Other:	1	5	10	25	50

- Wallet
- Watch
- Belt
- Rings and Jewelry of apparent value (Describe):
- Medals
- Pen
- Comb
- Keys
- Shoe Laces
- Pocket
- Book
- Lighter
- Eyeglasses
- Other miscellaneous items / remarks:

Items Taken From Prisoner and Retained for Evidence

<input type="checkbox"/> Gun	Make	Mod.	Ser. #
------------------------------	------	------	--------

Personal Property Returned (Considered Harmless and Returned to Subject.)

Final Disposition (If Property is Turned Over to Local Precinct. List Precinct and Name of Receiving Officer.)

ARRESTING OFFICER: SUPERVISOR:

PRISONER ACKNOWLEDGES RECEIPT OF THE ABOVE LISTED PERSONAL PROPERTY

I Hereby Acknowledge receipt of the property described herein.

Prisoner Signature

Date

RELEASING OFFICER

Name:	Signature	Date
-------	-----------	------

NOTICE TO PRISONER

THIS IS YOUR RECEIPT FOR THE PROPERTY TAKEN FROM YOU AT THE TIME OF YOUR ARREST. DO NOT LOSE IT. YOU MUST PRESENT THIS RECEIPT TO CLAIM YOUR PROPERTY.

PORT AUTHORITY POLICE WILL NOT BE RESPONSIBLE FOR ANY PERSONAL PROPERTY NOT CLAIMED WITHIN SIX MONTHS AFTER THE DATE ON THIS RECEIPT. PROPERTY MAY BE CLAIMED MONDAY TO FRIDAY, 9 AM TO 2 PM.

ADVERTENCIA AL PRISIONERO

ESTE ES SU RECIBO DE LAS PERTENENCIAS CONFISCADAS EN EL MOMENTO DE SU DETENCIÓN. NO LO PIERDA. DEBE PRESENTAR ESTE RECIBO CUANDO RECLAME SUS PERTENENCIAS.

LA POLICÍA DE LA AUTORIDAD PORTUARIA NO SERÁ RESPONSABLE DE CUALQUIER PERTENENCIA PERSONAL NO RECLAMADA SEIS MESES DESPUÉS DE LA FECHA DE ESTE RECIBO. PUEDE RECLAMAR SUS PERTENCIAS DE LUNES A VIERNES, DE 9 AM A 2 PM.



PORT AUTHORITY POLICE DEPT. PROPERTY & EVIDENCE RECEIPT

PA 3972 / 08-10

Property:					<input type="checkbox"/> Arrest Evidence	<input type="checkbox"/> Found	<input type="checkbox"/> Decedents	<input type="checkbox"/> Stolen	<input type="checkbox"/> Investigatory Evidence
Found or Recovered by		Command		Municipality		CCR / Case #		Package/Envelope #	
Location Where Found or Recovered						Date Found or Recovered		Time Found or Recovered	
Owner's Name			Address & Zip Code				Telephone Number		
Brief Explanation of Finding or Recovery									

PRISONER INFORMATION

Prisoner (A)		Arrest #	Date of Birth	Date of Arrest	Time of Arrest
SBI #	CDR #	Charges			
Prisoner (B)		Arrest #	Date of Birth	Date of Arrest	Time of Arrest
SBI #	CDR #	Charges			
Prisoner (C)		Arrest #	Date of Birth	Date of Arrest	Time of Arrest
SBI #	CDR #	Charges			

PROPERTY INFORMATION

I tr	Qty	Evidence Source	Article Description	Est. Cash Value

Signature & Rank of Officer Executing Receipt		Emp. #	Command	Signature of Superior Receiving Receipt		Emp. #	Command
-----------------------------------------------	--	--------	---------	-----------------------------------------	--	--------	---------

BELOW FOR PROPERTY ROOM USE ONLY – RECORD OF PROPERTY MOVEMENT

Property Location			Photo Taken By Date			Authorization to Release Items By		
Prosecutor's Release				Signature of Property Officer				Date
Sent		Received						
Date	Item #	Print Name	Signature	To	Sealed?	Envelope # / Comments	Prop. Off.	

I HEREBY ACKNOWLEDGE RECEIVING FROM THE PORT AUTHORITY POLICE DEPARTMENT THE PROPERTY LISTED ABOVE

Name	Signature	Item #(s)	Date
------	-----------	-----------	------

Total # of Property & Evidence Receipts: OF RECEIPTS

POLICE PATROL GUIDE

SUMMONSES AND COURT APPEARANCES

I. INTRODUCTION

The courts require that tests be made periodically to insure the accuracy of the speedometers of police vehicles used to apprehend speeders. To provide the best possible evidence that the vehicle speedometer indicates the actual speed of the vehicle, a vehicle speedometer performance test simulating road-driving conditions will be performed.

II. EQUIPMENT AND DISTRIBUTION

A Master Speedometer Testing Machine is used to test the accuracy of police vehicle speedometers. A complete testing unit is located at John F. Kennedy International Airport, at each Hudson River Crossing, and at the Goethals Bridge. A testing unit will consist of (1) a Master Speedometer Testing Machine, (2) a portable tachometer which measures RPM used to check the accuracy of the testing machine, and (3) a synchronous motor of know RPM used to check the accuracy of the portable tachometer.

III. DESCRIPTION OF TEST EQUIPMENT

The Master Speedometer Testing Machine is a roller-type speedometer tester. Included with this machine is a master head and odometer mounted on a stand positioned so that the testing and witnessing officers may readily observe the readings. This test simulates road-driving conditions and will eliminate errors such as:

- A. Inaccurate or improperly calibrated speedometers.
- B. Worn or incorrect size tires.
- C. Incorrect gearing ratio between the vehicle speedometer and wheel speeds.

IV. FREQUENCY OF TESTS

- A. Each Master Speedometer unit and the speedometer of each police vehicle will be tested at twenty-one day Interval Individual facility commanding officers will be responsible for establishing the day of the week on which the test will be conducted. In the event of emergencies, heavy snowfalls, etc., the testing period will not exceed twenty-one days The test described in Appendix I must be performed before and after the testing of vehicle speedometers.
- B. A car, which has been out of service on the date it is due for test, will be tested before it is put back in service.
- C. A car which has undergone repairs or adjustments which could change the ratio between the speedometer and the vehicle rear wheels (transmission, drive shaft, rear end, or tires) will be tested before it is put back in service.

- D. A new car will be tested before it is put into service. The new car check will include an odometer check to insure proper gear ratios.
- E. A decommissioned car will be tested before leaving a facility.
- F. In the event a vehicle is damaged so as to be rendered unserviceable, the speedometer teed will be removed and bench-tested for accuracy with the Stewart Warner testing device by a qualified testing officer at the Central Automotive Shop. This is to assure continuity of records for court purposes.

V. TESTING OFFICERS' TRAINING AND QUALIFICATIONS

The testing officers will be trained and qualified in the operation of the Master Speedometer Testing Unit by the staff of the Police Academy.

VI. MAINTENANCE OF TEST RECORDS

The following forms are completed and filed at the facility and retained until all speeding summonses based on that particular record are disposed of by the court:

Form #1815 - Speedometer Test Record (original only)

Form #2415 - Master Speedometer Calibration Certificate (duplicate - garage file - facility file)

- A. In cases where a vehicle is transferred-temporarily or permanently from one facility to another, the Speedometer Test Record (Form #1815) must accompany the car.

VII. CARE AND SECURITY OF TEST EQUIPMENT

The facilities concerned will exercise adequate control to insure the proper usage, careful handling, and storage of the Master Speedometer Testing Machine and the related checking instruments.

VIII. REPLACEMENT AND REPAIR OF INACCURATE SPEEDOMETERS

If a Jones-110=1a speedometer is found to be inaccurate and the testing officer is unable to bring the inaccuracy within tolerance by making the standard adjustments, the procedure outlined below will be followed.

- A. The inaccurate speedometer will be removed from the vehicle and replaced by a spare speedometer.
- B. The tour commander will arrange to have the inaccurate speedometer delivered to the Central Automotive Shop as soon as possible using either method described below:
 - 1. Dispatch a man with the inaccurate speedometer directly to the Central Automotive Shop to make an exchange.
 - 2. The inaccurate speedometer can be picked up by Summons Courier and taken to the Central Police Desk to be forwarded to Central

Automotive. When exchanged, it will be picked up at the Central Desk by Summons Courier and returned to the facility.

- C. When the inaccurate speedometer is delivered to the Central Automotive Shop, a spare replacement speedometer will be obtained and returned to the facility.

IX. REPAIR OR ADJUSTMENT OF THE MASTER SPEEDOMETER TESTING MACHINE

All repairs or adjustments to the Master Speedometer Testing Machine and the related checking instruments will be arranged through the Mechanical Engineer in the Central Maintenance Engineering Division.

The only exception to the above will be an allowable adjustment of the Master Speedometer Head, which will be performed as follows:

- A. The testing officer completes the test of the Master Speedometer Testing Unit as prescribed in Appendix I, calculates the true speeds and enters them on Form 2415.
- B. If the calculated speeds are consistently above the tolerance allowed throughout the entire range of the test, or consistently below the tolerance allowed throughout the entire range of the test, the testing officer will determine what the speed indication should be for the RPM readings obtained and will adjust the Master Head to conform.
- C. To Adjust the Low Range -- With the Master Speedometer range selector switch on the low range, the witnessing officer will accelerate the vehicle to obtain a reading of 50 MPH on the Master Speedometer, and the testing officer using the low range adjustment at the rear of the master head will increase or decrease the reading as required to bring the master head to the true reading for the RPM.
- D. To Adjust the High Range -- With the Master Speedometer range selector switch on the high range, the witnessing officer will accelerate the vehicle to obtain a reading of 50 MPH on the Master Speedometer and the testing officer using the high-range adjustment at the rear of the master head will increase or decrease the reading as required to bring the master head to the true reading for the RPM.

After adjustment of the master head, the test of the Master Speedometer Testing Unit as prescribed in Appendix I is then repeated and only the 2415 reflecting the corrected reading will be filed.

X. COURT APPEARANCES AND TESTIMONY BY THE CALIBRATION OFFICER

A. New Jersey Courts

- 1. When notified to appear in court or other official governmental agency hearings, due to a "not guilty" plea on a speeding violation, the summoning officer and the officer who has performed the speedometer test will appear in court as directed. The testing officer

will have in his possession the Form PA 1815, Speedometer Test Record, which will verify the accuracy of the speedometer during the period when the contested summons was issued.

2. If asked to describe the vehicle speedometer test, the following statement will be made:

"We use a roller-type speedometer tester. The vehicle is backed on a set of rollers positioning the rear wheels between them. The rear wheels of the vehicle are started in a forward motion to simulate road driving. The speedometer of the vehicle is then checked against the master head of the testing machine at speeds of from 20 -80 MPH. If the speedometer does not exceed a tolerance of plus or minus 1½ MPH under 50 MPH or 2½ APR over 50 MPH against the master head, the vehicle speedometer is considered accurate."

B. New York - Department of Motor Vehicles Administrative Adjudication Bureau

1. Members of the Force assigned to the calibration of speedometers are not required to appear, as witnesses, at hearings before the New York Department of Motor Vehicles Administrative Adjudication Bureau, on "not guilty" pleas for speeding summons cases.
 2. Upon receipt-of notification of appearance at a hearing before the Adjudication Bureau, on a case involving a speeding charge, the summonsing officer must obtain from his commanding officer, a "Certification of Calibration" Form PA 18151t, for the vehicle that he used in clocking the violation.
 3. Certificate of Calibration, Form PA 1815A
 - a. Since this form is designed to be a true copy of the data contained on the Speedometer Test Record, Form PA 1815, care must be exercised in its preparation in order to insure that all the information is correctly transcribed.
 - b. The Certification Form must be verified and signed by a superior officer.
 4. The summonsing officer must have the "Certification Form", PA 1815A, in his possession when appearing at the hearings. However, he should present the form as evidence only when requested.
 5. If the defendant wishes to appeal a decision of the Administrative Adjudication Bureau, the case is then referred to the Criminal Courts. When the summonsing officer receives a subpoena to appear in Criminal Court on a speeding case, the calibration officer will then be required to appear in court as prescribed in paragraph A, Sections 1 and 2 of this section.
- C. In all cases, police personnel will be guided by any lawful instructions given by the court or other official governmental agency.

XI. RESTRICTICNS ON TESTING INSTALLATIONS

- A. Only police sedans and station wagons will be calibrated.
- B. Only qualified officers will use the testing equipment.
- C. Trucks will never be roiled over or rested on the unit rollers.
- D. Protective covers will always be in place when the machine is not in use.
- E. During inclement weather, snow, rain, etc., allow vehicles to drip dry before testing.
- F. No one, other then as prescribed in IX, will make any adjustments or repairs to the Master* Testing Machine or-related testing equipment.

APPENDIX II. MASTER SPEEDOMETER ACCURACY TEST

- A. Connect the electric cable of the synchronous motor to an electrical receptacle to activate. Check the accuracy of the tachometer by coupling it to the shaft of the synchronous motor. The tachometer reading in RPM should be within 15 RPM of the RPM rating (1800) of the synchronous motor to be considered accurate.
- B. The testing officer will check the tires of the test vehicle with an air gauge to ascertain that they are inflated to the proper pressure.
- C. The testing officer will activate the air valve so that the airlift pads are in the up position.
- D. Under the direction of the testing officer, the vehicle is back on the Master Speedometer Testing Machine making sure that front and rear wheels are in alignment.
- E. With the vehicle in position on the air lift pads, the following steps will be taken:
 - 1. Chock front wheels of the vehicle.
 - 2. Activate air valve so as to lower the air pads. Secure valve so that it cannot be operated accidentally while the vehicle is in motion on the machine.
 - 3. Secure safety chains to rear spring shackles on both sides of vehicle.
 - 4. Attach flexible exhaust tube(s) to vehicle's exhaust system.
- F. Couple the generator and odometer cables from the master head by plugging into respective receptacles on rollers.

- G. To assure safe operation the vehicle must be accelerated and decelerated gradually. Under normal conditions, the brakes will not be used to decelerate. Do not place transmission in park position while rear wheels are moving.
- H. The operator of the test vehicle will place the car in forward drive and operate at low speed, so that testing officer can make physical inspection of rear tires for foreign objects, nails, etc.
- I. The vehicle is again placed in forward drive and accelerated until a constant speed of 20 MPH is indicated on the master head. While the vehicle operator is maintaining a constant 20 MPH, the testing officer observes and records on Form #2415, the reading on the master speedometer and measures the speed of the roller by placing the tachometer against the axis of the left end of the forward roller shaft
- A reading on the tachometer in RPM is obtained at 20 MPH and entered on the Form #2415 by the testing officer. This procedure will be repeated at 10 miles increments up to and including 80 MPH. Because the dial on the master head is graduated up to 60 MPH on the low range, it will be necessary to change the range switch on the back of the master head to high range to conduct the test at 70 MPH and 80 MPH.
- J. On completion of the test, the tester will multiply each RPM reading by the printed constant on the Form #2415. The result in each case will be entered to the nearest tenth (10th) on the corresponding line under the heading, COMPUTED SPEED.
- K. A variation of not more than plus or minus 1 MPH up to 50 MPH or not more than 2 MPH between 50 MPH and 80 MPH, will indicate that the Master Speedometer Testing Machine is functioning properly. Variations in excess of these require that the machine be adjusted. If the testing officer is unable to adjust the master head, as directed in Section IX, P.D.I. 1-6, the machine will require calibration. This will be arranged through the Mechanical Engineer in the Central Maintenance Engineering Division.
- L. When the test indicates that the Master Testing Machine is accurate, the tester will complete Form #2415 in duplicate and sign. Forward the original to the facility commanding officer and retain the copy for the testing file.
- M. To insure the accuracy of the Master Speedometer Testing Unit, the testing officer must rigidly adhere to the prescribed procedures and be precise in the readings he takes and the computations made.

APPENDIX II

I. VEHICLE SPEEDOMETER TEST PROCEDURE

- A. The testing officer will check the tires of the test vehicle with an air gauge to ascertain that they are inflated to the proper pressure.

- B. The testing officer will activate the air valve so that air left pads is in the up position.
- C. Guided by the witnessing officer, the testing officer will back the test vehicle on the Master Speedometer Testing Machine, making sure that front and rear wheels are in alignment.
- D. With the vehicle in position on the air lift pads, the following steps will be taken:
 - 1. Chock the front wheels of the vehicle
 - 2. Activate air valve so as to lower air pads. Secure valve so that it cannot be operated accidentally while the vehicle is in motion on the machine.
 - 3. Secure safety chains to rear spring shackles on both sides of the vehicle.
 - 4. Attach flexible exhaust tube(s) to vehicle's exhaust system.
- E. To assure safe operation, the vehicle must be accelerated and decelerated gradually. Under normal conditions, the brakes will not be used to decelerate. Do not place transmission in park position while rear wheels are moving.
- F. The operator of the test vehicle will place the car in forward drive and operate at low speed so that testing officer can make physical inspection of rear tires for foreign objects, nails, etc.
- G. With the witnessing officer occupying the seat directly behind the testing officer, the vehicle is put into forward drive to simulate road driving and the test is begun. The readings on the vehicle speedometer are compared with the readings on the master speedometer and recorded on Form #1815. The comparisons are made at 10-mile increments from 20 MPH to 80 MPH, always using the master head as the standard. Because the dial on the master head is graduated up to 60 MPH on the low range, it will be necessary to change the range switch on the back of the master head to high range to conduct the test at 70 MPH and 80 MPH.H.
- H. The allowable tolerance under 50 MPH is plus or minus 1a MPH. Over 50 MPH, the tolerance is plus or minus 2i MPH. Speedometers reading within the above-mentioned limits are considered accurate.
- I. On completion of the speedometer test, if all readings are within the tolerance, the vehicle is returned to service and Form #1815 is dated and signed by the tasting and witnessing officers and filed.

II. INACCURATE SPEEDOMETERSA. Jones-Motorola Speedometers

1. When Jones-Motorola speedometer is found to be inaccurate, the testing officer will make the standard adjustments to the speedometer to bring the inaccuracy within the tolerance.
2. If the adjustment fails to correct the inaccuracy, the defective speedometer will be removed from the vehicle and replaced by a spare speedometer.
3. An entry will be made on the next line of Form #1815 attesting to the adjustment or replacement of the speedometer.
4. When the replacement speedometer has been installed, the testing and witnessing officers will conduct the complete comparison tests on the replacement speedometer, recording the results on the next line of Form #1815. This will establish the accuracy of the replacement speedometer.
5. The vehicle will then-be returned to service and Form #1815 will be dated and signed by the testing and witnessing officers and filed.
6. The inaccurate speedometer will be processed as outlined in Section VIII, A., B., and C. of P.D.I. 4-9.B.

B. Reasons for Removal of Speedometer from a Police Vehicle for Preventive Maintenance

When a speedometer is removed from a vehicle for preventive maintenance (P.M.) the reasons for this preventive maintenance will be noted on Form #18154. Failure to note the reasons for the preventive maintenance may result in the dismissal of speed cases adjudicated by the Administrative Adjudication Bureau in the City of New York.

P.A 1815A
11 - 70

The Port of New York Authority

APPENDIX III

POLICE DIVISION

Certification Of Speedometer Tests And Repairs For Vehicle No. _____

For Summons Served On _____ At: _____
(Date) (Time)

Record of Speedometer Tests • PA 1815

The speedometer attached to division vehicle No. _____ of Command _____ has been officially tested on a roller type master speedometer machine, on the following dates, and at speeds indicated.

Speeds Tested

Date	20	30	40	50	60	70	75	80	Testing Officer	Witnessing Officer
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

Record of Speedometer Repairs • PA 1815

Repairs made to the speedometer attached to the vehicle listed above during the testing dates indicated. If none, so state:
Out Of Service

Time	Date	Mileage	Nature of Repair	Date of Repair	Repaired By
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

The members of the Police Division listed above as testers of speedometers, meet all of the requirements established for testers of speedometers. They have received specialized training and instruction from qualified personnel at the Port Authority of New York and New Jersey Police Academy in testing and maintenance of calibration tolerances of Police speedometers in calibrated vehicles against a master speedometer and have acquired field experience as testers.

This is to certify that this is a true copy of the Record of Speedometer Test and Speedometer Repair in the custody of the Police Division of The Port Authority of New York and New Jersey for the period during which summons were served.

Date Name of Superior Officer Rank Command

PA 1815A / 2-02

**THE PORT AUTHORITY OF NY & NJ
Police Division
Record of Speedometer Tests and Repairs**

Record of Speedometer Tests

Certification of speedometer tests and repairs for vehicle no. _____ For summons served on _____ at _____ Date _____ Time _____

The speedometer attached to division vehicle _____ of _____ Command _____ has been officially no. _____ tested on a roller type master speedometer machine on the following dates and at speeds indicated.

Date	Speeds Tested								Testing Officer	Witnessing Officer
	20	30	40	50	60	70	75	80		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

Record of Speedometer Repairs

Repairs made to the speedometer attached to the vehicle listed above during the testing dates indicated. If none so state:

Time	Date	Mileage	Nature of Repair	Date of Repair	Repaired By

The members of the Police Division listed above as testers of speedometers, meet all of the requirements established for testers of speedometers. They have received specialized training and instruction from qualified personnel at the Port Authority of New York and New Jersey Police Academy in testing and maintenance of calibration tolerances of Police speedometers in calibrated vehicles against a master speedometer and have acquired field experience as testers.

This is to certify that this is a true copy of the Record of Speedometer Test and Speedometer Repair in the custody of the Police Division of The Port Authority of New York and New Jersey for the period during which summons were served.

_____ Date _____ Name of Superior Officer _____ Rank _____ Command _____

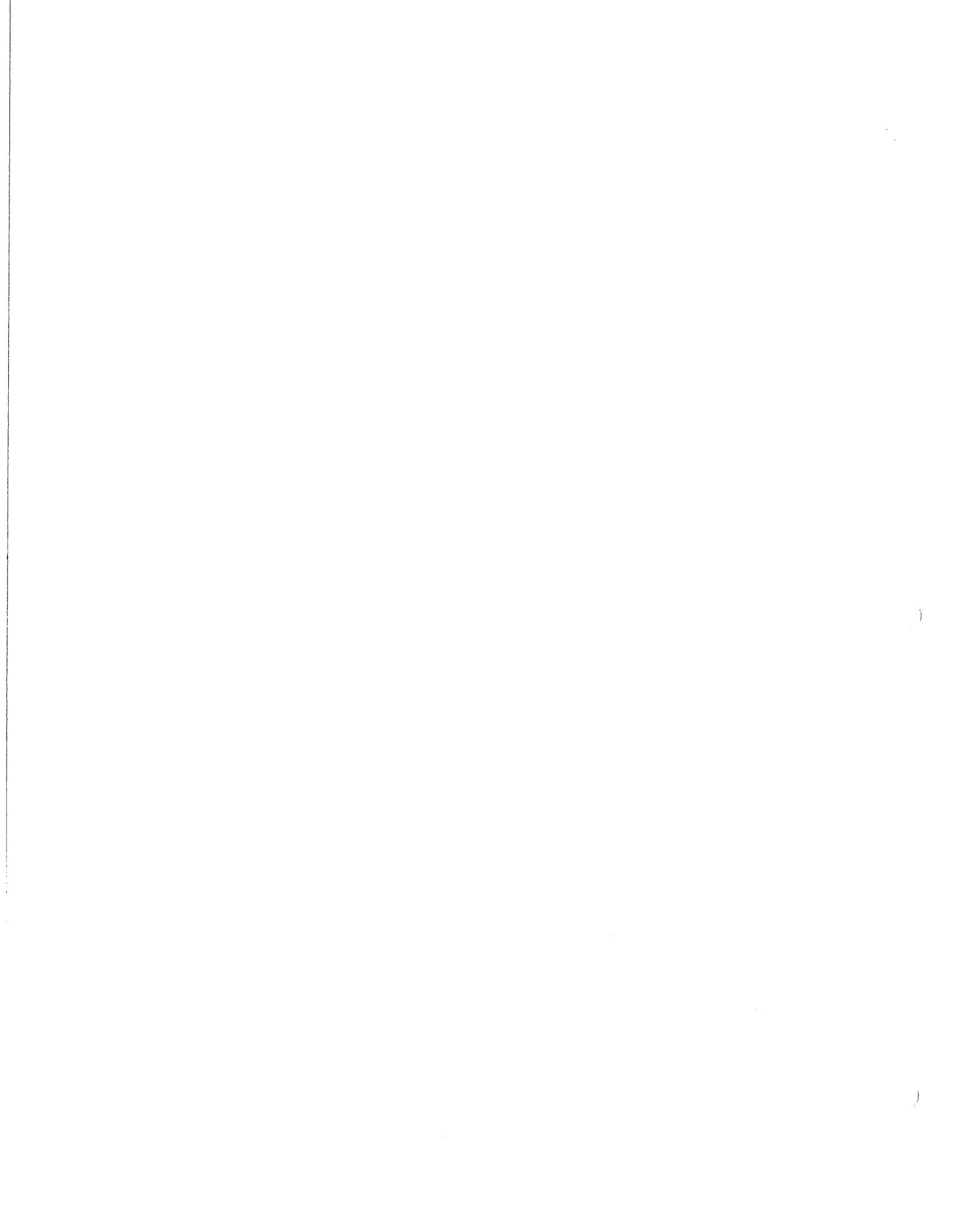
APPENDIX IV

SPEEDOMETER CALIBRATION UNIT SERVICE INSTRUCTIONS

In order that the speedometer Calibration Unit operate at maximum efficiency, the following maintenance schedule will be followed:

1. Facility maintenance personnel should maintain the Calibration Unit monthly. Such maintenance should include removal of the 2 lift plates between the rollers. Accumulated dirt and other foreign matter should be cleaned from the base plates beneath the rollers, using a vacuum cleaner.
2. All working parts should then be lubricated with SAE 40 oil.
3. Bearings should be greased on an annual basis.
4. With the center section cover plate off, operate the lifts and check the operating cables for wear and need for adjustment. Check the entire unit for corrosion and need for painting.

In addition to the annual maintenance schedule, personnel operating these units should check the grease cup on the instrument cabinet. The cup should be filled at least once every six (6) months.



I. INTRODUCTION & DESCRIPTION

This instruction outlines the procedures for requisitioning, dispensing, processing and controlling N.Y.C. Universal Appearance Tickets. The N.Y.C. Universal Appearance Ticket consists of four parts:

Part 1 Complaint Copy (white) - forwarded to proper adjudicating agency.

Part 2 Defendant's Copy (Yellow) for cases returnable to the Administrative Adjudication Agency.

Part 3 Defendant's Copy (Pink) - for cases returnable to Criminal Court

Part 4 Defendant's Copy (hard buff) - for cases returnable to the Parking Violations Bureau

II. UNIVERSAL APPEARANCE TICKETS

A. Requisitioning

Universal Appearance Tickets are requisitioned by the Police Division from the Parking Violations Bureau, 44-66 Vernon, Boulevard Long Island, New York on P.V.B. form 0205. The amount requisitioned should be for a (6) month supply. A designated courier who obtains the Universal Appearance Tickets on Wednesdays only, and delivers them to the Commanding Officer of the Central Police Pool delivers the requisition.

B. Initial Processing

1. Upon delivery of the forms at the Police Division Office, the Police Division Equipment Sgt. records the serial numbers in the Summons Record Log and places the ticket forms in stock for issue to the facilities as required.
2. Periodically, each facility police commanding officer, having estimated the number of tickets to be served at his facility during the ensuing six months, will forward a memorandum of requisition to the Superintendent of Police.

C. Distribution

1. The summons courier will deliver the B.T.C. Universal Appearance Ticket forms to the facility police desk.
2. The desk officer will make a blotter entry to the effect that he received a package of tickets from the summons courier.
3. The package will be delivered to the Commanding Officer where the numbers will be checked against those noted on the receipt, which accompanies the package.

4. The receipt is signed by the Commanding Officer and returned to the Police Division Equipment Sergeant.

D. Facility Control

1. As Universal Appearance Tickets are received, they will be recorded in numerical sequence in the Summons Log, Form 1768. Discrepancies, if any, are immediately brought to the attention of the facility police commanding officer.
2. Universal Appearance Tickets are then issued to police personnel upon verbal request. At the time of receipt, the requesting officer sign for them in a space provided on the Summons Log.
3. Universal Appearance Tickets issued and remaining outstanding for a period designated by commanding officers are recalled and re-issued to police officers normally requiring large quantities of tickets.
4. The Police Commanding Officer determines the quantity issued to each individual; however, the minimum issue of summonses will be 3 per facility assigned officer. C.P.P. officers will be issued summonses on a need basis by the facility of assignment.
5. The date on which a Universal Appearance Ticket is served by a Police Officer is obtained from the agency copy and recorded in the Summons Log, Form 1768, which is maintained on a current basis.

III. PROCESSING OF SERVED SUMMONSES

A. Initial Procedure

As soon as practicable, an officer issuing a Universal Appearance Ticket calls the police desk with the following information: name of police officer, ticket number and time served. (This information along with the facility serial number posted in the border constitutes the complete blotter entry.) If possible, he delivers to the police desk the three copies of the Universal Appearance Ticket within 30 minutes. Upon receipt, the desk officer posts the facility serial number on all copies.

B. Distribution

1. The complaint copy will be forwarded to the proper adjudicating agency.
2. The remaining copies will be forwarded to the facility Commanding Officer for filing.

IV. ACCOUNTING FOR UNIVERSAL APPEARANCE TICKETS

- A. Upon receipt of the facility copies by the police commanding officer the date served is entered against that ticket in the Summons Log, Form 1768. The Agency copies are then filed numerically by facility serial number.

V. ROUTING OF ADJUDICATING AGENCY COPIES - COMPLAINTS

A. Responsibility of Desk Officers

The desk officer on the 12 Midnight - 8:00 AM tours, at the completion of each calendar day, will route the complaint copies of Universal Appearance Tickets, legally served, via the summons courier as follows:

1. Parking Violations - all complaint copies will be inserted in a yellow (Form PA 1606) envelope (not to exceed 100 in each envelope) whereupon it will be sealed in the prescribed manner and forwarded to the Parking Violations Bureau.
2. Moving (Vehicle) Violations - all complaint copies will be inserted in blue (Form PA 3005A) envelope (not to exceed 100 in each envelope) whereupon it will be sealed in the prescribed manner and forwarded to the New York State Department of Motor Vehicles, Administrative Adjudication Bureau.
3. Violation Returnable to Criminal Court - all complaint copies will be inserted in a white (Form PA 3005) envelope (not to exceed 100 in each envelope) whereupon it will be sealed in the prescribed manner and forwarded to the proper Criminal Court.

VI. COLLECTION OF UNIVERSAL APPEARANCE TICKETS (COMPLAINTS)

A. Procedure

The following procedure applies to the collection of Universal Appearance Tickets (Complaints) from the various facilities, Monday through Friday, inclusive. No collections are made on Saturdays, Sundays, holidays or when otherwise specified. The Police Division notifies facilities of any schedule changes received from the Orders Unit of the New York City Police Department.

1. The courier stops at all facilities in a vehicle without "Police" markings. At those facilities having Universal Appearance Tickets he acknowledges receipt (by entry in the police blotter) of envelopes previously prepared by desk officers. The envelopes are placed in the dispatch case immediately upon collection. Where applicable, the courier also distributes any new supply of Universal Appearance Tickets at this time.
2. Upon returning to the Central Police Desk, the courier prepares the "Summons Envelope Receipt," Form PA 3031, in duplicate listing the total number of tickets, envelopes and the originating facility, for all the summonses collected.

VII. UNIVERSAL APPEARANCE TICKETS - DELIVERY

- A. The courier delivers the dispatch case to the proper adjudicating agencies beginning at 9:00 AM following the collection of Universal Appearance Tickets. A representative of each agency will ascertain the number of envelopes and sign the "Summons Envelope Receipt", Form 3031. The

original of the receipt is given to the representative and the duplicate returned to the Police Division for filing.

VIII. ISSUANCE OR RETRIEVAL PROCESS

- A. In no case will a universal Appearance Ticket, properly prepared legally served, be retrieved.
- B. Partially Completing Universal Appearance Tickets in Advance of Issuance
Completion of any part of the summons prior to the time of actual issuance is prohibited by this instruction.
- C. Request for Nullification of N.Y.C. Universal Appearance Ticket, Which Have Not Yet Been Processed Through an Adjudicating Agency
 1. Mutilated and Unservable Universal Appearance Tickets
 - a. All four parts of the N.Y.C. Universal Appearance Ticket, which are mutilated or otherwise rendered unusable, will be forwarded to the facility commanding officer with a handwritten report of the circumstances from the officer having possession of same.
 - b. The facility commanding officer will investigate the circumstances regarding the damage to the Universal Appearance Ticket and will forward a report of his investigation appended to the complaint copy to the Superintendent of Police. The remaining copies will be filed at the reporting facility.
 2. Improperly Prepared Universal Appearance Tickets
 - a. Enforcement Officials have no authority to make changes in complaints. If an Officer notices he has made an error in preparing the Universal Appearance Ticket, he shall not cross out or erase any information nor serve same, but make a new correct Universal Appearance Ticket and serve.
 - b. The tour commander will be promptly notified. He shall interview the officer concerned after which he will submit a report to the facility commanding officer outlining the facts and circumstances relative to the incident. He will also instruct the officer involved to prepare a Handwritten Report to the commanding officer, attaching all copies of the summons thereto.
 - c. The complaint copy of the Universal Appearance Ticket containing the error will be marked "VOID" across its face.
 - d. All four (4) voided copies of the Universal Appearance Ticket containing the error will be forwarded to the facility commanding officer without delay. Attached thereto will be those reports submitted as specified in item 2b above.
 - e. The facility commanding officer will, after investigating the matter, forward a report of his investigation and recommendations the complaint (white) and the hard (buff) copy

of the ticket together with copies of any other reports submitted, to the Superintendent of Police, as soon as it is practical.

- f. The remaining yellow and blue copies will be filed at the facility of occurrence.

3. Lost New York City Universal Summonses

- a. A member of the force who loses a N.Y.C. Universal Appearance Ticket in his possession will immediately submit a handwritten report containing all the circumstances to his facility Commanding Officer.
- b. The facility commanding officer, after investigation of the facts and circumstances, will forward a report of his investigation and recommendations to the Superintendent of Police, along with a copy of the officer's statement.

4. Summons Log Entries and Correspondence

- a. The word "voided" will be entered in the summons log, Form 1768, under the column Date Served (and in the police blotter when necessary) to account for all mutilated, improperly prepared and lost Universal Appearance Tickets.
- b. The Superintendent of Police will prepare all correspondence to the Director Counsel, Parking Violations Bureau relating to nullification of mutilated, improperly prepared and lost Universal Appearance Tickets.

D. Procedure - Parking Meter Universal Appearance' Tickets

1. Testing the Meter - Allegation Faulty Meter

During the service of a Universal Appearance Ticket at a parking meter, or subsequent to its service, if a motorist states that the meter is defective, the Officer will test the accuracy of the meter in the presence of the violator by inserting a coin to verify that the meter is active and that the flag moves to its full time limit.

2. Defective Meter

If the test proves the meter is defective, the following will apply:

- a. The summons will be completed by the issuing officer and issued. The recipient of the ticket shall be advised to mail the ticket to the Parking Violation Bureau. A "Not Guilty due Broken Meter" plea should be entered on the reverse side.
- b. Immediately notify the facility Police Desk, where an entry will be made in the parking meter log indicating the meter number, time and the fact that the meter was placed out of service. Place a printed sticker, PA. Form 2701, over the meter coin slot, to alert the public that the meter is out of service.

- c. The officer concerned will submit a handwritten report to the Commanding Officer, containing all the particulars, including identification of the person served.
- d. The Parking Violations Bureau will correspond with the facility concerned to obtain verification of alleged defective meters.

E. Records Keeping

It is imperative that the facilities keep accurate records of meters out-of-service and other unusual circumstances pertaining to summonses issued since there is usually a time lapse between issuance and the correspondence received relative to the incident.

F. Additional Information to be placed on the Universal Appearance Ticket

1. In addition to the normal information written on the ticket, an entry will be made on the left hand side of the complaint copy between the perforated line and printed captions as follow:
The issuing officer's 1.st initial, last name, squad, & vacation date, i.e.:
W. Farrell, Sqd. 6, 1/15/75 to 1/21/75.
The entry will start opposite the "A" box and must not extend beyond "0" in the offense caption:
Since the defendant's copy (5th copy) is used by the courts for scheduling court dates in the event of a Not Guilty plea, the above information must be legible on the 5th copy before service.
2. In the "place of occurrence" space, insert the facility designated, e.g.:
HT for Holland Tunnel.
3. If during the issuance of parking summons the operator of the vehicle is present, politely request to see his driver's license and fill in the name, address and license information in the proper boxes. If he refuses to present his license on a parking violation, disregard and serve in the normal manner.

G. Blank Complaints and A 246

The equipment Sgt., Police Division, has on hand blank complaints. These are to be used only when the court requests a duplicate. In this case, the facility copies will be referred to and a duplicate blank filled out by the equipment Sgt. and forwarded to the court by the Superintendent of Police.

IX. DEFECTIVE PARKING METERS - INSPECTION AND CONTROL

- A. Facility commanding officer will cause defective meters to be inspected and placed out of service by covering the meter coin slot with a printed sticker, PA Form 2701. The sticker will remain until it has been repaired.
- B. Vehicles will be permitted to park in defective meters, without cost, for the time normally permitted when meter is operative.
- C. The officer will record on PA Form 2700, the time and license number of any vehicle parked at a defective meter and on his return trip, if the vehicle

previously noted has exceeded the posted time limit, he will summons it "metered parking only", code g, 6831, McKinney's Unconsolidated Laws.

- D. The Universal Appearance Ticket will be served for overtime parking, only noting the actual time in the "Description of Traffic Offense". No mention of defective meter will be made in these cases.
- E. Each facility that has parking meters will maintain a Parking Meter Log. The log will list the meter number, time and date taken out of service and by whom time and date returned to service and by whom.

X. VERIFIABLE DEFENSE SUMMONSES

Summonses inadvertently issued to official vehicles which qualify for Verifiable Defense, will be processed according to existing procedures.

XI. RETURNABLE DATES.

One uniform returnable date has been established for Universal Appearance Tickets, returnable to the Criminal Court and the Department of Minor Vehicles Administrative Adjudication Bureau. Officers are not required to appear on the returnable date of the Universal Appearance Ticket. If your appearance is required by the A.A.B. or Criminal Court, Officers will be notified.

A. Facilities

The returnable dates scheduled for all tickets returnable to the Administrative Adjudication Bureau (Box B) will be established by the facility Commanding Officers. In addition a returnable date schedule will also be established for all tickets made returnable to Criminal Court (Box C). These two dates are not to coincide in order to prevent an officer from having to appear in Criminal Court and the A.A.B. at the same time.

No returnable date will be entered on Box "A" Parking Violations Summonses.

The following criteria will be followed in establishing such schedules:

1. The members of the force concerned will use the same returnable date for all tickets issued for a two (2) week period, i.e., one date for all Criminal Court tickets and one date for A.A.B. tickets.
2. The returnable date will be no less than twenty-four (24) days after the last date of service in the above two (2) week period.
3. The returnable data will be a weekday (Monday to-Friday, excluding holidays) on which the issuing officer is scheduled to work an 8 to 4 or 4 to 12 tour and is available to appear at either the Criminal Court or the A.A.B.

NOTE: Commanding Officers will make the appropriate schedule adjustments to provide for steady 1%-8 men to be in court at the appointed time.

4. Commanding Officers will vary the returnable dates among members of their command concerned in order that a minimum number of men

are scheduled for appearance on any one day to permit the Central Police Pool to cover.

5. When a predetermined date conflicts with the vacation of the issuing officer, he will use the returnable date for the next period of service in which he is available.
6. Universal Appearance Tickets returnable to the Criminal Court will be made returnable at 0900 hours. Tickets returnable to the A.A.B Box B will be 1400 hours.

B. Central Police Pool

1. Box "C" Criminal Court Appearances - Officers shall select a day at least 30 days from date of issuance that is either an 8-4 or 4-12 tour of duty (no holidays, Saturdays or Sundays). Appearance will be at 0900 hours. Continue using this date for court appearances as long as 24 days still remain from date of issuance to date of appearance. Your tour on this date will be 0900 - 1700 hours.
2. Box "B" Administrative Adjudication Bureau Appearances - Officers shall select a day at least 30 days from date of issuance that is a 4-12 tour and a scheduled work day (no Holidays, Saturdays or Sundays). Appearance will be at 1430 hours. Continue using this date for court appearances as long as 24 days still remain from date of issuance to date of appearance.

XII. GENERAL

A. Use of Port Authority Statutes

1. Motor vehicle violations, which occur on Port Authority property, must be charged under the appropriate Port Authority statute rather than under the Motor Vehicle Laws of the States-of New York or New Jersey nor under municipal traffic regulations.
Chapter 774 Laws of New York, 1950, will be used for tunnels and bridge motor vehicle violations.
Chapter 206 Laws of New York, 1951, will be used for air and marine terminal traffic violations.

B. Issuing Summonses to Buses

1. Since it is not the intent of -the Port Authority to penalize persona riding a bus, for an infraction of the law committed by the driver, any bus traveling an authorized route will not be delayed unduly by any member of the force who finds it necessary to issue a summons to the driver for a minor traffic violation.
2. The officer will obtain the driver's name, identification number and home address. The driver will be informed to stop on his return trip to receive the summons. He will be further info that failure to return will result in a call to his home and business, and that a summons will be issued at either location.

3. When the officer allows a driver to continue his trip without issuing a summons, as outlined above, the Tour Commander will be notified.
4. If it is determined that the operator is unfit to drive, or the vehicle is unsafe, the vehicle will be detained and the company involved notified to send another driver or vehicle, as the case may be.



I. INTRODUCTION

This instruction outlines the authority and procedures for issuance of:

1. Universal Summonses
2. NYC Desk Appearance Tickets

at Port Authority facilities in New York City in lieu of arrest. Summonses will be utilized in lieu of physical arrest to properly identified persons whenever possible, in strict compliance with the intent of the Criminal Justice System and the legal requirements for reasonably assuring the defendants appearance in court to answer the charges against him.

II. UNIVERSAL SUMMONSES IN LIEU OF ARREST

A. Background

By order of the Appellate Division of the Supreme Court, first and second departments concurred in by the New York City Police Commissioner, pursuant to Subdivision 8 of Section 57 of the New York City Criminal Court Act, a new rule 10 of the Criminal Court, relating to the issuance of summonses and methods of payment of fines with schedules moms adopted effective December 16, 1968.

This amendment also defines the authority of the New York City Police Commissioner in promulgating rules that effect the summons process as it pertains to the service of a Universal Summons by a peace officer. These rules and regulations, effective immediately, pertain to all peace officers as may be designated by the Police Commissioner, who are employed by various agencies within the City of New York and are empowered by law to issue this summons.

B. When a Universal Summons May Be Used

The New York City Police Commissioner pursuant to Rule 10 of Rules of Criminal Court of the City of New York has authorized members of the New York City Police force, special patrolmen appointed by him and other peace officers in the City of New York as he may designate, to serve a Universal Summons upon instead of arresting a PROPERLY IDENTIFIED PERSON, at least 16 years of age, who commits any of the offenses listed on appendices attached, BELOW THE GRADE OF A FELONY in New York City.

Exception: A Universal Summons must not be issued in lieu of arrest, when the offender is unable to care for himself because of injury, illness or intoxication.

NOTE: Appendices A, B, C, and D list the traffic and other offenses for which Universal Summonses may be issued, as well as the .14 misdemeanors or violations of the Penal Law.

C. Guidelines for Establishing a "Properly Identified Person"

When an arrest for a summonsable offense other than traffic violations, is brought to the attention of the Tour Commander, involving a person whom is apparently law abiding; the Tour Commander shall determine what documentary proof of identification the defendant possesses.

Items such as: driver license, company identification cards, valid credit cards, military service identification cards, etc., are normally useful indices of identity. When the Tour Commander is satisfied with the evidence of identification, he may direct the issuance of the Universal Summons in lieu of a Desk Appearance Ticket or arrest.

D. Procedure for Filling Out the Universal Summons

Whenever a member of the force issues a Universal. Summons for any offense, he must indicate on the summons the manner in which a plea of guilty may be entered by marking an "X" in the box corresponding to Instruction A, B, or C.

Whenever Box "A" is marked, to indicate that the plea may be made by mail, the officer must also indicate to the violator, the scheduled fine for the offense charged. This will be done by marking-an "X" in the appropriate dollar amount box or, if no box is provided for the scheduled fine concerned, by writing correct dollar amount in the space marked OTHER. In traffic cases where a scheduled line is predetermined in accordance with Appendix "A" you must use Box "A" and indicate the amount of the fine. In no case will the offense be listed as ILLEGAL PARKING. It must be descriptive and tell what type of illegal parking is involved and the fine indicated.

When Box "B" or "C" is checked, no fine is to be indicated.

E. Court Appearances

In most cases the summoning officer will not be required to appear in court on the return date of a summons. His appearance will be required only on a plea of not guilty by the defendant in which case the court will notify the summoning officer and the defendant of the scheduled court date. Members of the force will comply with P.D.I. 6-4 (Court Appearances) when attending court.

F. Scheduling of Returnable Dates

In Manhattan, Part 7A has requested that none of these-cases be scheduled on Thursdays due to the heavy court calendar.

You will make your returnable dates 15 to 19 days from date of issuance, excluding weekends, Thursdays or holidays, similar to the Traffic Swoons Control Bureau- schedule in P.D.I.6-1. At the New York airports, the

commanding officers will check with the proper part of the court to ascertain the returnable dates required.

G. G. Scheduling of Police Officers on Not Guilty Pleas

Since the police officer is not required to be present on the returnable date, a court appearance date must be scheduled by the court clerk. Should the defendant plead not guilty, in Part 7A cases in Manhattan the court clerk requires current copies of the work schedule of the summoning officers. Commanders, who will be using the universal summons for criminal violations other than traffic, will insure that officers supply current work schedules to the court clerk. This is required to minimize the court clerk scheduling trial dates, which would conflict with the police officer's regular days off.

At the New York airports, the Commanding Officers will communicate this information to the clerk of the court in Queens where the summonses are returnable.

H. Manifesting of Summons Papers

On Manhattan cases the summons papers must be manifested and made returnable to Park 7A at 52 Chambers Street, New York City, New York. They will be placed in a white envelope, PA 3005; with the transmittal form PA 1711A picked up by the summons courier and delivered separately by the summons courier to the proper part of the court.

Summonses issued at New York airport facilities for these types of violations will be manifested as above and forwarded as per existing procedures to the proper part of the Queens Court.

I. Processing of Summonses used for Criminal Violations

1. Facility Serial Numbers

Facility serial numbers for all Universal Summonses used for Traffic Offenses or Criminal Violations, will continue with the present system of starting with the number 0001 on January 1 of each year.

In preparing the PA 1711A (Summons Record & Report), on criminal cases only, the Complaint Report number will be placed along side the "location" on the extreme right side margin; e.g. 439-75, for cross reference purposes.

2. PA Form 74A - Summons Record

A When an officer issues a New York City Summons in lieu of arrest, he will prepare a PA 74A, in duplicate. The copy will be filed at the facility in sequence of facility serial number. The original will be forwarded to the Police Division Crime Analysis Section for the master file.

B PA 74k, Summons Record, is controlled and identified in the following manner:

- 1 Each 74A is assigned to a facility serial number at the time of its preparation.
- 2 Numbers run in numerical order beginning with the first case reported each year and are prefixed by the letter "P" constituting the code designation for Universal Summonses issued for violations of the Penal Law. The suffix to the case number indicates the year in which the report was prepared, i.e. P209-75 would indicate this to be the 209th form 74A 'recessed by the facility concerned, in the year 1975.

3. Summons - Agency Copy(s)

The issuing officer will record the facility serial number on the front, upper, right-hand side of the agency copy(s). Agency copies of summonses served for criminal violations should be filed separate from those summonses issued for traffic violations for easy reference. The hardcopy will be filed in order of the facility serial number and the yellow copy will be filed in alphabetical order thus providing a cross-reference.

4. Responsibilities of Desk Officers

The desk officer on the 12 midnight to 8 AM tour of duty completes and signs the PA 1711A "Summons Record and Report" for all summonses issued for criminal offenses. All summonses listed numerically on the form are placed in a large WHITE envelope, PA Form 3005, sealed, addressed and:

- a. At all New York Facilities except those located on Staten Island, summonses are forwarded to

Summons Part, New York County
346 Broadway, New York, N.Y. 10013

- b. At Staten Island Bridge facilities, forwarded to the proper part of the Richmond County court

Page 1 (white) of PA Form 1711A is retained at the police desk as a record of summonses forwarded, in a POST BINDER. Page 2 (yellow) will be forwarded to the Police Division Crime Analysis Section. Pages 3 and 4 may then be discarded.

5. Police Division - Crime Analysis Section

It will be the responsibility of the Crime Analysis Clerk to compare PA Form 74A received against those summonses recorded on PA 1711A after which these forms will be filed.

6. Court Appearances

Officers are required to complete PA 74A on all court appearances printing "Follow-Up" on the reverse side of both copies. These follow-up copies are to be distributed in the same manner as the original PA 74A.

7. Numberin7 System on PA 1711A

Each sheet of the PA 1711A is prenumbered and should be used in sequence. When ordering from the stockroom, order in units of 100 so that the serial numbers in the Post Binder will run in sequence.

III. DISPOSITION OF CASES

The dispositions of criminal cases are required to be forwarded to the criminal record section on a Criminal Complaint Report follow-up report. The court has indicated that it cannot notify us of the dispositions of summonsable cases. The court clerk has suggested a procedure, which is followed by other departments utilizing the universal summons. It is recommended that Commanding Officers follow this basic procedure or make other arrangements to obtain these dispositions from the court, on cases where the summoning officer does not appear.

Procedure

Monthly or more often if required a clerical man will go to the court to search the court records for dispositions. At the time that he obtains these dispositions, he will also be able to determine the number of cases in which there has been no appearance for the previous 30 days. He will contact the warrant officer of the court to determine what action the court has taken to bring the defendant before the bench. Where a warrant has been issued, cooperation will be extended to the warrant officer in executing the warrant for persons who fail to appear on summonsable cases issued by a member of the force.

APPENDIX A

UNIVERSAL SUMMONS USE OF BOX A

Where the violator can plead guilty by mail.

BOX "A" Traffic Cases returnable in Part 5 "Traffic"

<u>VIOLATION</u>	<u>SCHEDULED FINE</u>
Double Parking	\$25
Fire Hydrant	\$35
Fire Zone Parking	\$35
Parking Meter Violation (N.Y. Airports)	\$10
All other Parking Violations	\$15
 All other traffic infractions (Excluding those described in Appendix "B" and any arrest cases required to be heard in Part I) e.g.: Drunk Driving, Driving while impaired, Leaving Scene, Dangerous Cargo Cases.	 \$15

Box "A" Non Traffic cases returnable in Part 6 or 7 "Non Traffic"

VIOLATION - Violations of Port Authority and State Laws, where the fine is specifically scheduled in the law. The amount of the fine must be entered on the summons in the appropriate box.

APPENDIX B

UNIVERSAL SUMMONS USE OF BOX B

Where the fine may vary and defendant may answer by mailing in summons form.

Box "B" Traffic Cases returnable is Part 5 "Traffic"

VIOLATION - Speeding, Unlicensed Operator (Late renewal only)

Box "B" Non Traffic Cases returnable in Part 6 or 7 "Non Traffic"

VIOLATION - Violations of PATH Rules & Regulations 2 through 7, Chapter 665 Laws of New York 1964 and any other violations where the fine is not specifically scheduled but does not exceed \$15.

Violations of Administrative Code 775 (4) 2.0 Sub B or C (Stripping of Vehicles).
Exception: Richmond makes returnable in Part I or Criminal Court. (Memo dated September 30, 1969).

APPENDIX C

UNIVERSAL SUMMONS USE OF BOX C

Where defendant must appear to answer charge.

BOX "C" Traffic Cases returnable in Part 5 "Traffic"

VIOLATION - All Traffic Violations and Traffic Misdemeanors not included in Appendix A and B. EXCEPT arrest cases listed below:

1. Leaving Scene
2. Motor Vehicles engaged in Transportation of Dangerous Articles
3. Operating a motor vehicle with a license obtained in violation of section. 392 NYS Motor Vehicle and Traffic Law.
4. Any violation of 392A or NYS VTL
5. Any violation of 421, 422, 423 and 426 of NYS VTL pertaining to stolen and altered motor vehicle.
6. Drunk Driving and Driving while impaired

BOX "C" Non Traffic cases returnable in Part 6 or 7 "Non Traffic"

VIOLATION - Violations of PATH Rules & Regulations Number 1, "Smoking", Chapter 665 Laws of New York 1964.

Violations of Chapter 142 Laws of New York 1953. "Smoking at Air & Marine Terminals".

Violations of Administrative Code 775 (4) 2.0 Sub E or F (Stripping of Vehicles).
Exception: Richmond make returnable in Part 1 of Criminal Court. (Memo dated September 30. 1969)

APPENDIX D

UNIVERSAL SUMMONS USED FOR A MISDEMEANOR OR VIOLATION OF THE FOLLOWING SECTIONS OF THE NYS PENAL LAW:

1. 145.30 Unlawfully posting advertisement
2. 165.15 Sub 3 Evasion of payment of fare bus, train, and etc.
Sub 4 Evasion of payment of telecommunication service (Tampering)
Sub 5 Evasion of payment of metered services (Tampering)
3. 170.55 Unlawful use of slugs in coin machine
4. 195.10 Refusing to aid a peace officer
5. 230.05 Patronizing a prostitute
6. 195.15 Obstructing fire fighting operations
7. 240.25 Sub 4 Engages in conduct commonly called hazing (Harassment)
Sub 5 Harassment by conduct which alarms or seriously annoys
8. 240.35 Sub 5 Loiters about a school
Sub 7 Loiters or remains in Transportation Facility for soliciting
Sub 8 Loiters, remains or sleeping in a Transportation Facility
9. 240.50 Falsely reporting an incident
10. 245.01 Exposure of female (breasts must be covered by opaque covering)
11. 245.02 Promoting the exposure of a female
12. 245.05 Offensive exhibition
13. 260.20 Sub 1 Unlawful admission of child under 16 to pool hall, bowling alley or place where alcoholic beverages are present
14. 270.10 Creating a hazard
15. 221.05 Unlawful Possession of Marihuana (25 grams or less)

NOTE: The above 14 crimes are also listed as eligible for release on a DESK APPEARANCE TICKET at the facility, or at the local N.Y.C. Precinct

This gives the Tour Commander, in these cases, the discretion to:

1. Authorize use of a Universal Summons for a "PROPERLY IDENTIFIED PERSON"
2. A Desk Appearance Ticket
3. Authorize a physical arrest when none of the conditions for release on a summons can be met.



DESK APPEARANCE TICKETS

A. Background

Desk Appearance Ticket cases eliminate the immediate court appearance of a member of the force, reduce the costs of detention and transportation and permit better scheduling of court appearances. The interval of time between the issuance of the D.A.T. and the court appearance permits the defendant to obtain counsel and prepare his case, and thereby reduces the total number of court appearances on each case.

The complainant is afforded the opportunity to make provision for his court appearance and eliminates the often inconvenient immediate trip to the Criminal Court to sign the necessary affidavits.

The basis of the Desk Appearance Ticket is the belief that persons with certain demonstrable roots in the community may be relied upon to appear voluntarily in compliance with a D.A.T. in lieu of arrest. To objectively measure these factors, the defendant, with his or her consent, is interviewed at the facility. The information obtained, subject to verification, is weighed, using a point scale system and if minimum standards are met, the person arrested may be considered for release by the Port Authority Superior Officer after telephone consultation with the New York City Precinct Desk Officer and a Desk Appearance Ticket is issued.

B. Authority for Issuance

New York City Police Department T.O.P. 456 of 1968, 456-1, 2, 3 of 1969 and New Court Pula 10, issued by the Appellate Division has granted authority to use and issue Desk Appearance Tickets at our facilities. Commanding Officers will determine, based on their operational requirements, whether or not they wish to use this procedure or bring the prisoner to the New York City Precinct for handling. If they use this procedure, they will coordinate with the local Precinct Commander before instituting same and cite this authority for its use.

C. Policy

Persons arrested for any DIMSDEMBANOR OR VIOLATION, with the exception of:

1. Those misdemeanors and violations listed in Section 940, Code of Criminal Procedure;
2. Violations for which the Precinct Desk Officer is not authorized to accept bail or give personal recognition;

must be informed that upon consenting to an interview, they may be released on a Desk Appearance Ticket in lieu of being detained. This procedure must be followed regardless of the fact that arraignment court is in session.

Note: As a guide, Appendix A is attached, showing the following:

- The crimes for which release on a Desk Appearance Ticket is NOT authorized.
- Listing of every misdemeanor and violation in the Penal Law for which release on a Desk Appearance Ticket is authorized.

The above procedure is NOT required in the case of violations of law, which currently are handled by use of the UNIVERSAL SUMMONS.

D. PROCEDURES

1. Waiver of Interview

Persons unfamiliar with the criminal justice system may easily be dissuaded from consenting to a Desk Appearance Ticket Investigation, thinking it would be better to go directly to court. To prevent this, Tour Commanders and Desk Sergeants shall, in any case in which the defendant indicates that he does not wish to be considered for a D.A.T. fully explain to the defendant that if he elects to go to court, he may be held in bail until the case is disposed of. In all such cases, the Tour Commander shall personally determine that the defendant is aware of the opportunity to receive a Desk Appearance Ticket in Lieu of detention.

When an arrest for one of the offenses listed in Appendix A is brought to the attention of the Tour Commander or Sgt. involving a person who is apparently normally law abiding, the Tour Commander or Desk Sergeant shall determine what documentary proof of identification the defendant possesses. If the Tour Commander or Desk Sergeant is satisfied with the documentary evidence, he may direct the issuance of a Desk Appearance Ticket without the necessity of requiring the conducting of a D.A.T. investigation.

In such cases, the issuing officer shall record the nature of the documentary evidence on the D.A.T. investigation report in lieu of conducting the entire investigation.

NOTE: Current procedures governing the issuance of Desk Appearance Tickets do not mandate verification. If the Tour Commander or Desk Sergeant and the investigating officer are satisfied that the information given by the defendant is apparently true, a D.A.T. may be authorized without verification. Particular attention must be paid to any documentary evidence offered by the defendant in establishing his identity. Items such as: drivers license, company identification cards, valid credit cards, military service identification cards, etc., are normally useful indices of identity and may be accepted in lieu of Desk Appearance Ticket verification.

2. When interviewed

To conserve time, Tour Commanders shall interview the following persons initially when brought to him, and shall authorize complete investigation only

for those whom he believes stand a reasonable chance of meeting the criteria:

- A. Persons arrested for:
 - Sec. 240.20 PL Disorderly Conduct
 - Sec. 240.25 PL Harassment
 - Sec. 240.30 PL Aggravated Harassment
 - Sec. 240.35 PL Loitering (except Subd. 3)
 - Sic. 240.43 PL Criminal Nuisance
- B. Persons who are admitted current narcotics users.

3. Mass Arrests.

Where large numbers of persons have been arrested, as in the case of demonstrations, the conducting of the Desk Ticket investigation may prejudice the rights of the defendants by delaying their arraignment. Therefore, the interview for release on the New York City Desk Appearance Ticket may be waived by the Tour Commander, if the arraignment court is in session.

In addition, where a demonstration is conducted at a public or private location in which the defendants are all connected with such a location, e.g. Employees of a company at whose place of business the demonstration took place, the interview for release on the desk ticket may be waived by the Tour Commander and the desk ticket issued, to the defendants without investigation, provided they are properly identified and the likelihood of their returning to the scene does not exist.

4. Waiver of Investigation

Whenever a summons investigation is waived, such as in Paragraph 1, 2, 3 or if the defendant refused an interview, entry must be made in the Police Blotter, on the Criminal Complaint Report, and the New York City Police Department U.F.4 (Arrest Report), Remarks Section.

5. Facility Desk Procedure

- A. When a prisoner, charged with a crime for which a desk summons may be served, is brought to the police desk or other authorized facility location in New York City, when the desks are located in New Jersey, the Tour Commander will inform the defendant that he/she can submit to an interview and upon qualifying may be released with a summons in lieu of the normal arrest procedure.
If the defendant consents, the identification interview shall be conducted by the arresting or other assigned officer.
- B. The member of the force conducting the interview shall make the necessary BCI name check, through the Central Police Desk and the local facility records and in the case of a minor, through the Central Police Desk to the Youth Records Section of the Central Records Office of the New York City Police Department.

- C. After the summons investigation/interview is completed, the completed form with the officer's recommendation will be given to the Tour Commander.
- D. The Tour Commander will consider the recommendation in making his determination on whether to issue a desk appearance ticket or detain, however, he is not bound by this recommendation. In making his determination, the Tour Commander must consider all factors; e.g. Circumstances, Previous Criminal Records, etc.
- E. A defendant will be considered eligible for the issuance of a desk appearance ticket if he/she:
 - 1. Attains a minimum of 5 points on the investigation form.
 - 2. Is not incapacitated due to intoxication or injury (see par.5 for Hospitalized Prisoners).
 - 3. Is not an admitted current narcotic user.
- F. If the defendant qualifies, the Tour Commander will telephone the favorable recommendation to the New York City Precinct Desk Officer, identifying the defendant, naming the charge, number of Points scored in the investigation, the results of the name check and whether or not verification was conducted. The Precinct Desk Officer shall consider the recommendation of the Port Authority Superior/Tour Commander, and will either approve or disapprove the service of the desk appearance ticket at the facility.
 - 1. When disapproved, the defendant must be taken to the-Precinct for booking. When approved, the Precinct Desk Officer will give the Port Authority Superior the Precinct control number and his name and rank, to be placed on the desk appearance ticket.
- G. When authorization and Pct. Control no. is obtained, the D.A.T. (Appendix B) will be prepared by the arresting officer and served on the defendant. The following returnable dates will apply in these cases.
 - 1. The Desk Appearance Ticket will be made returnable at 9:00 AN anytime within 21 days of the date of service, after consultation with the Tour Commander, who will take in the following considerations:

The officers duty chart -- it must be a working day and preferably an 8-4 tour to prevent tour changes.

Previous court appearances or other commitments of the officer for the day of return.

Returnable-dates of other D.A.T.'s for the officer within the 21-day period. (Attempt will be made to make as many returnable on the same date to the same part of Criminal Court to permit proper utilization of court appearance manpower).

Request of the civilian complainant, if any, may be taken into consideration in determining the returnable date. However, the civilian

complainant will be instructed to appear at the proper court on the return date, where he must meet the arresting officer to sign the Information-Complaint.

2. All arrests, including arrests which result in defendants being issued Desk Appearance Tickets, will be arraigned in the arraignment part of the Criminal Court, except as follows:

- a Arrests and Desk Appearance Tickets issued to defendants for family offenses, as defined in Section 812 of the Family Court Act, will continue to be arraigned in Family Court.
- b Desk. Appearance Tickets issued for all misdemeanors will be made returnable to the arraignment part of the Criminal Court, Part 5. The unnumbered Universal Summons Affidavit will no longer be utilized in these cases. Arresting officers will be required to appear in court on the return date to prepare the court complaint.

Police Officers effecting arrests for Peddling, which result in defendants being issued Desk Appearance Tickets, returnable in Part 7, will not be required to appear in court on the return date. In these cases, the court complaint will be prepared on an unnumbered Universal Summons Affidavit.

- c Prisoners who are 19 years of age or over -- Part 1 of the Criminal Court. Prisoners who have reached the age of 16 but have not reached the age of 19 and their co-defendants -- Part 3 of the Criminal Court.
- d D.A.T.'s may be made returnable to Part II of the Criminal Court (Night Court) on the date of issuance only, when there are codefendants in the arrest and one or more of them have been determined ineligible. Those determined eligible may be issued the summons, returnable that night in Part II, where all the co-defendants will be arraigned at the same time.

H. Preparation of Desk Appearance Tickets

The Desk Appearance Ticket will be prepared in triplicate. The original will be delivered to the Precinct desk officer for forwarding to the Criminal Courts, unless the summons is made returnable in Part II (Night Court) on the same day or is made returnable within 3 days. In this case the original shall be retained by the summoning officer who will appear in court. The duplicate will be given to the defendant. The triplicate is to the facility police files to be attached to the Criminal Complaint Report (PA 2113). Both the issuing officer and the defendant must sign all copies. In addition, the defendants address, apartment number and residence borough must be included with the defendant's name on the first line of the summons.

In the box captioned "Serial Number" the New York City Precinct control number will be entered. In the box captioned "Precinct" the New York City Precinct number will be entered. In the box captioned "Arrest Number" the New York City Precinct Arrest Number will be entered. In the box captioned "Issued By" the name and command

(PABT) of the arresting/issuing officer will be entered. Across the top above the caption "City of New York" print, type or use rubber stamp captioned "Port Authority." The rest of the boxes are self-explanatory.

I. Facility Blotter Entries

Regular Criminal Complaint Blotter entries for an arrest are to be made with the addition of the Port Authority Arrest number, Desk Appearance Ticket number assigned by the New York City Police Department, returnable date of the summons and name of the New York City Police Department Desk Officer authorizing issuance.

J. Forwarding of Papers to the New York City Precinct

In cases in which Desk Appearance Tickets have been served, the following will be delivered to the desk officer of the New York City Precinct concerned, no later than 2:00 PM for summons served prior to that time and no later than 11:00 PM for summonses served after 2:00 PM or other arrangement made between the Precinct concerned and the facility Commanding Officer.

1. Completed Summons Investigation Report (Form #357-NYCPD'
2. Completed New York City UF 4 and UF 5's (NYCPD Arrest Cards)
3. All evidence pertaining to the case with completed Property Clerk Vouchers. (MIS Property Clerk Voucher - PC #1 Rev. 4/67)
4. The original signed Desk Appearance Ticket.

K. Preparation of other Forms; Summons Issued in Lieu of Arrest Procedure

1. The word SUMMONS will be written across the face of the UP 4 and OF 5 and PA arrest card (PA 2641) and the Criminal Complaint Report (PA 2113).

NOTE: A rubber stamp may be used in these cases.

2. Where property (evidence) is involved, a New York City Police Department property clerk voucher (PC 1 - Rev. 4-67) must also be prepared at the facility desk.

In preparing same, when listing property, always list money first, then personal property, and finally general property.

Insert an extra green copy with a carbon under Page I of the tear-apart form for the New York City Precinct and Xerox a copy to be filed with the facility copy of the Criminal Complaint Report.

When the voucher is turned in at the New York City Precinct with the property, fill in the voucher number on the Xerox copy.

3. All other forms required for all regular arrest cases and procedures will be complied with.

L. Court Appearance

Except where specifically excused, a member of the force issuing a Desk Appearance Ticket will appear in court on the return date of the summons.

The only exceptions to this rule are as follows:

When a hospitalized prisoner is issued a Desk Appearance ticket by other than the arresting officer, the issuing officer need not appear on the return date. However, notification will be made to the command of the arresting officer and he shall appear on the return date of the summons.

A member of the force issuing a Desk Appearance Ticket on which his appearance on the return date is required, may, at any time prior to the return date of the summons, appear in the complaint room of the Criminal Court, county concerned, and prepare the court complaint on this case. He will then take the completed complaint, without docketing, to the clerk in charge of Part 1A(1B in the Bronx) of the Court, who will swear the complaint and accept it from the officer. The officer will provide the court clerk with several recommended adjournment dates for the case, in accordance with P.D.I. 6-4. In these instances, the officer need NOT appear in court on the return date of the ticket and will notify the facility desk officer to delete the court appearance notation from the facility diary. A member of the force may not utilize this procedure if the case is one in which a civilian complainant must also appear on the return date, but must appear at the same time as the complainant

Officers with pending Desk Appearance Ticket cases who are required to appear in court on other cases prior to the return date of the Desk Appearance Ticket, will be directed to prepare the complaint on the desk ticket immediately after their court appearance has been completed.

If at any time prior to the return date of a desk ticket in a case in which the officer must appear, the officer becomes aware of his inability to appear on the return date, the Commanding Officer will be notified and he will make provision for the officer to appear at the complaint room for the preparation of the complaint prior to the return date.

To insure a court appearance, an entry will be made on the proper page of the facility diary on the date of issuance, indicating the appearance. Where' a member of the force is unable to appear on such date, the provisions of P.D.I. 6-4, Paragraph VI, C, will be strictly complied with.

On the returnable date, the officer will pick up the original copy of the Desk Appearance Ticket from the Court Clerk, before appearing in the complaint room. This procedure serves to notify the court clerk that the issuing officer is present and eliminates unnecessary notifications.

6. Summoning of Hospitalized Prisoners

When arrest is made for a misdemeanor or violation summonsable under this procedure, and the prisoner is injured or hospitalized, the prisoner may be issued a summons for the charge, provided that the injury does not affect his mental capacity or otherwise impair his ability to accept service of the summons.

A hospitalized prisoner, who because of his injury was not qualified for a summons .at the time of his arrest, may be considered for a summons when he has sufficiently recovered from his injury and the attending physician so specifies. Commanding Officers will make arrangements to have the appropriate summonses issued in these cases, by the arresting officer.

7. Name Checks with the Identification Section

Regardless of whether or not the information obtained from the defendant is verified, a name check must be conducted on all defendants considered for a Desk Appearance Ticket.

Regardless of whether or not the information obtained from the defendant is verified, a name check must be conducted on all defendants considered for a Desk Appearance Ticket.

This will be handled in accordance with P.D.I. 5-2. The most important items of information required for the proper conduct of a name check are the following:

- Correct name and any alias used.
- Present address and previous addresses used during the past five years.
- Date of Birth.
- Any admissions of previous arrests made by the defendant.

Name checks will not be conducted until all other information has been verified. If it is evident that the defendant cannot qualify for the issuance of a summons, the name check will not be conducted.

When the name check indicates the defendant may possibly be a wanted person, the following action will be taken:

The Central Police Desk Sergeant will notify the Tour Commander of the affected facility with the information provided. Where the name check indicates that the defendant is possibly a wanted person, NO DESK APPEARANCE TICKET will be authorized, and normal arrest procedures must be followed. The arresting officer will notify the Precinct Desk Officer of this fact when he is booked and advise that the wanting agency has been notified by our Department.

8. Reports

Commanding Officers will exercise strict control of this procedure and will permit only Tour Commanders to operate under this procedure and will submit a report to the D.I. - Operations by the fifth of each month. Attention. Crime Analysis Section Clerk, in basically the following format:

- A. Total number of arrests for the preceding month for crimes, which are summonsable under this program.
- B. Total number of desk summonses served in lieu of arrest.
- C. Total number of cases in which summons investigations were waived pursuant to Par. 3 of Procedures in this order.
- D. Total number of persons refusing to be interviewed.

- E. Total number of cases where defendant was interviewed and failed to qualify.

NOTE: Total B, C, D, and E should equal total under A.

- F. Any suggestions for improvement in the system

M. CRIMINAL COMPLAINT REPORTS

P.D.I. 4-10, Par. V-A, B and C establishes when a criminal complaint is to be prepared. While certain violations of law may be bandied by use of a D.A.T. in lieu of arrest, the processing of a case by this manner does not relieve the officer from reporting on the Criminal Complaint Report and follow-up reports.

Whenever a Criminal Complaint Report is prepared and has been handled by use of a D.A.T., the word "SUMMONS" will be clearly stamped or printed across the face of the Criminal Complaint Report to indicate same, and D.A.T. serial number included in the narrative report.

APPENDIX A

DESK APPEARANCE TICKETS

The following Misdemeanors and Violations are referred to in section 940 of the Code of Criminal Procedure, and therefore are fingerprintable and ARE NOT SUMMONSABLE, and a Desk Appearance Ticket cannot be issued for these offenses.

1. Any offense, which would become a Felony if the person had been previously convicted of a crime:
 - a. Elective Franchise - Election Law, Article 16 previous conviction of any Misd. in Act. 16.
 - b. Sec. 265.10, Subd. 4. P.L. - Disposing of Weapon - previous of any crime.
 - c. Sec. 265.35, Subd. 1. P.L. • Use of imitation pistol - previous of any crime.
 - d. Transportation of Dangerous Articles by motor vehicle (Sec. 380 V.T.L.) • two previous convictions of same crime.
 - e. Driving motor vehicle or motorcycle while intoxicated or while the ability is impaired by use of a drug. (Sec. 1192, subd. 2) - previously convicted of same crime.
 - f. Sale or possession of illicit alcoholic beverage (Sec. 152 ABC Law) - previous conviction of same crime or Sec. 154, ABC Law.
 - g. Premises used for manufacture or storage of illicit alcoholic beverage (Sec. 154. ABC Law) - previous conviction of same crime or Sec. 152 ABC Law
2. Any of the Offenses listed in Section 552, C.C.P.:
 - a. Sec. 265.05 P.L. - Possession of Weapons and dangerous instruments and appliances (Class A Misd.)
 - b. Sec. 140.35 P.L. • Possession of Burglars Tools (Class A Misd.)
 - c. Sec. 165.40 P.L. - Criminal Possession of Stolen Property in the 3rd Degree (Class A Misd.)
 - d. Sec. 205.05 P.L. - Escape in the 3rd Degree (Class A Misd.)
 - e. Sec. 165.25 P.L. - Jostling (Class A Misd.)
 - f. Sec. 165.30 P.L. - Fraudulent accosting (Class A Misd.)
 - g. Subd. 3, Sec. 240.35 P.L. - Loiters or remains in a public place for the purpose of engaging or soliciting another person to engage, in deviate sexual intercourse or other sexual behavior of a deviate nature (Violation).
 - h. Sec. 260.10 P.L. - Endangering the Welfare of a child. (Class Misd.)

- i. All of the Offenses enumerated in Article 235. P.L.
- j. Sec. 125.60 P.L. - Issuing Abortional Article (Class B Misd.)
- k. Sec. 230.20 P.L. - Promoting Prostitution in the 3rd Degree (Class A Misd.)
- l. Sec. 230.40 P.L. Permitting Prostitution (Class B Misd.)
- m. The offenses enumerated in Article 130 P.L.
 - 1. 130.20 • Sexual Misconduct (Class A Misd.)
 - 2. 130.38 - Consensual sodomy (Class B Misd.)
 - 3. 130.55 - Sexual Abuse in the 3rd Degree (Class B Misd.)
 - 4. 130.60 - Sexual Abuse in the 2nd Degree (Class A Misd.)

NOTE: The remaining offenses in Article 130 are felonies and as such are not summons- able.

- n. The offenses listed in Article 220 Penal Law.
 - 1. Sec. 220.05 - Criminal Possession of dangerous drug in the 4th Degree (Class A. Misd.)
 - 2. Sec. 220.45 - Criminally possessing a hypodermic instrument (Class A Misd.)
- o. Illegal possession of rifle or shotgun by an adjudicated incompetent - Sec. 265.05 subd. 10 P.L. - (Class A Misd.)
- p. Illegal manufactories, transporting and/or disposition of pistol or ocher dangerous weapon - Sec. 265.10, subs. 1, 2, 5 and 7 P.L. - (Class A Misd.).
- q. Illegal use of pistol or other dangerous weapon - Sec. 265.35. subd. 2 and 4 P.L. (Class A. Misd.)
- 3. The misdemeanors listed in Article 225 Penal Law -
 - a. 225.05 - Promoting Gambling in the 2nd Degree (Class A Misd.)
 - b. 225.15 - Possession of gambling records in the 2nd degree (Class A Misd.)
 - c. 225.30 - Possession of gambling device (Class A Misd.)
- 4. Sec. 165.35 P.L. - Fortune Telling (Class B Misd.)
- 5. Sec. 230.00 P.L. - Prostitution (Violation)

The following Misdemeanors and Violations listed in the Penal Law ARE SUMMONSABLE and a D.A.T. may be issued.

Title G - Article 100 - Criminal Solicitation

- 100.00 Criminal Solicitation in the 3rd Degree (Violation)
- 100.05 Criminal Solicitation in the 2nd Degree (Class A Misd.)

Article 105 - Conspiracy

- 105.00 Conspiracy in the 4th Degree (Class B Misd.)

105.05 Conspiracy in the 3rd Degree (Class A Misd.)

Article 110 - Attempt

110.05 - Subd. 5, Attempt to commit a Class E Felony (Class A Misd.)

110.05 - Subd. 6, Attempt to commit a Misdemeanor (Class B Misd.)

Article 115 - Criminal Facilitation

115.00 Criminal Facilitation 2nd Degree (Class A Misd-)

Title H - Article 120-Assault and Related Offenses

120.00 Assault 3rd Degree (Class A Misd.)

120.15 Menacing (Class B Misd.)

120.20 Reckless Endangerment in the 2nd Degree (Class A Misd-) •

Article 125 - Homicide, Abortion and Related Offenses

125.50 - Self-Abortion in the 2nd Degree (Class B Misd.)

125.55 - Self-Abortion in the 1st Degree (Class A Misd.)

Article 135 - Kidnapping, Coercion and Related Offenses

135.05 Unlawful imprisonment in the 2nd Degree (Class A Misd.)

135.45 Custodial interference in the 2nd Degree (Class A Misd.)

135.60 Coercion in the 2nd Degree (Class A Misd.)

Title I - Article 140 - Burglary and Related Offenses

140.05 Criminal Trespass in the 3rd Degree (Violation)

140.15 Criminal Trespass in the 2nd Degree (Class A Misd.)

140.15 Criminal Trespass in the 1st Degree (Class B Misd.)

140.15 Criminal Trespass in the 1st Degree (Class A Misd.)

Article 145 - Criminal Mischief

145.00 Criminal Mischief in the 3rd Degree (Class A Misd-)

145.15 Criminal Tampering in the 2nd Degree (Class B Misd.)

145.25 Reckless Endangerment of Property (Class B Misd.)

145.30 Unlawfully Posting Advertisements (Violation)

Title J Article 155 - Larceny

155.25 Petit Larceny (Class A Misd.)

Article 165 • Other Offenses Relating to Theft

165.00 Misapplication of Property (Class A Misd.)

165.05 Unauthorized Use of a Vehicle (Class A Misd.)

165.15 Theft of Services (Class A Misd.)

165.20 Fraudulently Obtaining a Signature (Class A Misd.)

Title K - Article 170 - Forgery and Related Offenses

170.05 Forgery in the 3rd Degree (Class A Misd.)

- 170.20 Criminal Possession of a forged instrument 3rd Degree (Class A Misd.)
- 170.45 Criminal Simulation (Class A Misd.) -
- 170.55 Unlawfully Using Slugs in the 2nd Degree (Class B Misd.)

Article 175 - Offenses Involving False Written Statements

- 175.05 Falsifying Business Records 2nd Degree (Class A Misd.)
- 175.20 Tampering with Public Records 2nd Degree (Class A Misd.)
- 175.30 Offering a False Instrument for Filing 2nd Degree (Class A Misd.)
- 175.45 Issuing a False Financial Statement (Class A Misd.)
- 175.50 Presenting a False Insurance Claim (Class A Mind.)

Article 180 - Bribery not involving Public Servants and Related Offenses

- 180.00 Commercial Bribing (Class B Misd.)
- 180.05 Commercial Bribe Receiving (Class B Misd.)
- 180.50 Tampering with a Sports Contest (Class A Misd.)
- 180.55 Rent Gouging (Class B Misd.)

Article 185 – Frauds on Creditors '

- 185.00 Fraud in Insolvency (Class A Misd.)
- 185.0 Fraud Involving a Security Interest (Class A Misd.)
- 185.10 Fraudulent Disposition of Mortgaged Property (Class A Misd.)
- 185.15 Fraudulent Disposition of Property Subject to a Conditional Sale Contract (Class A Misd.)

Article 190 - Other Fraud

- 190.05 Issuing a Bad Check (Class B Misd.)
- 190.20 False Advertising (Class A Misd-)
- 190.25 Criminal Impersonation (Class A Misd.)
- 190.35 Misconduct by a Corporate Official (Class B Misd.)
- 190.45 Possession of Usurious Loan Records (Class A Mad-)
- 190.50 Unlawful Collection Practices (Class B Misd.)

Title L. - Article 195 - Official Misconduct and Obstruction of Public

- 195.00 Official Misconduct (Class A Misd.)
- 195.05 Obstructing Governmental Administration (Class A Misd.)
- 195.10 Refusing to aid a Peace Officer (Class B Misd.)
- 195.15 Obstructing Firefighting Operations (Class B Misd.)

Article 200 - Bribery Involving Public Servants and Related Offenses

- 200.30 Giving Unlawful Gratuities (Class A Misd.)
- 200.35 Receiving Unlawful Gratuities (Class A Misd.)

Article 205 - Escape and other Offenses Relating to Custody

- 205.20 Promoting Prison Contraband in the 2nd Degree (Class A Mind.)
- 205.30 Resisting Arrest (Class A Misd.)
- 205.55 Hindering Prosecution in the 3rd Degree (Class A Mind.)

Article 210 - Perjury and Related Offenses

- 210.05 Perjury in the 3rd Degree (Class A Misd.)
- 210.35 Making an Apparently Sworn False Statement, 2nd Degree (Class A Misd.)
- 210.45 Making a Punishable False Written Statement (Class A Misd.)

Article 215 - Other Offenses Relating to Judicial and Other Proceedings

- 215.10 Tampering with a Witness (Class A Misd.)
- 215.25 Tampering with a Juror (Class A Misd-)
- 215.30 Misconduct by a juror (Class A Misd-)
- 215.45 Compounding a Crime (Class A Misd-)
- 215.50 Criminal Contempt (Class A Misd.)
- 215.56 Bail Jumping in the 2nd Degree (Class A Misd.)
- 215.58 Failing to Respond to an Appearance Ticket (Viol.)
- 215.60 Criminal Contempt of the Legislature (Class A Misd.)
- 215.65 Criminal Contempt of a Temporary State Commission (Class B Misd.)
- 215.70 Unlawful Grand jury Disclosure (Class B Mind.)
- 215.73 Unlawful Disclosure of an Indictment (Class B Mist.)

Article 230 - Prostitution

- 230.05 Patronizing a Prostitute (Violation)

Title N - Article 240 - Offenses against Public Order

- 240.05 Riot in the 2nd Degree (Class A Misd.)
- 240.06 inciting to Riot (Class A Misd.)
- 240.10 Unlawful Assembly (Class B Misd.)
- 240.20 Disorderly Conduct (Violation)
- 240.21 Disruptions or Disturbance of Religious Service (Class A Misd.)
- 240.25 Harassment (Violation)
- 240.30 Aggravated Harassment (Class A Misd.)
- 240.35 Loitering (except subd. 3 which is in Sec. 552 CCP) (Viol.)
- 240.36 Loitering in the 1st Degree (Class B Misd.)

- 240.45 Criminal Nuisance (Class B Misd.)
- 240.50 Falsely Reporting an Incident (Class B

Article 245. Offenses Against Public Sensibilities

- 245.00 Public Lewdness (Class B Misd.)
- 245.01 Exposure of a Female (Violation)
- 245.02 Promoting Exposure of a Female (Violation)
- 245.05 Offensive Exhibition (Violation)

Article 250 - Offenses Against the Right to Privacy

- 250.10 Possession of Eavesdropping Devices (Class A Misd.)
- 250.15 Failure to Report Wiretapping (Class B Misd.)
- 250.20 Divulging an Eavesdropping Order (Class A Misd.)
- 250.25 Tampering with Private Communications (Class B Misd.)
- 250.30 Unlawfully Obtaining Communications Information (Class B Misd.)
- 250.35 Failure to Report Criminal Communications (Class B Mist.)

Title O - Article 255 - Offenses Affecting the Marital Relationship

- 255.00 Unlawfully Solemnizing a Marriage (Class A Misd.)
- 255.05 Unlawfully Issuing a Dissolution Decree (Class A Misd.)
- 255.10 Unlawfully Procuring a Marriage License (Class A Misd.)
- 255.17 Adultery (Class 13.Misd.)

Article 260 - Offenses Relating to Children and Incompetents

- 260.05 Non-support of a Child (Class A Misd.)
- 260.20 Unlawfully Dealing with a Child (Class B Misd.)
- 260.25 Endangering the Welfare of an Incompetent Person (Class A Misd.)

Title P - Article 265 - Firearms and Other Dangerous Weapons

- 265.10 Manufacture, Transportation, Disposition and Defacement of Weapons and Dangerous instruments and appliances (Class A Misd.) Except subd. 4.
- 265.25 Failure to Report Certain Wounds (Class A Misd.)
- 265.35 Prohibited Use of Weapons (Class A Misd.) Except subd. 1

Article 270 - Other Offenses Relating to Public Safety

- 270.00 Unlawfully Dealing with Fireworks (Class B Misd.)
- 270.03 Unlawful Possession of Noxious Material (Class B Misd.)
- 270.10 Creating a Hazard (Class B Misd.)
- 270.15 Unlawfully Refusing to yield a Party Line (Class B Misd.)

Title W - Article 400 - Licensing and Other Provisions Relating to Firearms

- 400.00 Licenses to carry, possess, repair and dispose of firearms - violation of (Class A Misd.)

In addition to the above, all Misdemeanors and Violations contained in other laws ARE SUMMONSABLE, with the exception of those referred to in Sec. 940, Code of Criminal Procedure, and the offenses listed in Chapter 11, paragraph 2.1 - Rules and Procedures of the NYC Police Department, which constitutes violations for which the Pct. Desk Officer is not authorized to accept bail or give personal recognizance.

APPENDIX E

EXCUSAL OF POLICE OFFICERS ASSIGNED TO CIVILIAN COMPLAINANT DESK APPEARANCE TICKET CASES. FROM APPEARING IN COURT ON THE RETURN DATE

In order to reduce the number of police officers required to appear in court for arraignment purposes, police officers assigned to civilian complainant arrests, which result in the issuance of a desk appearance ticket, will no longer be required to appear in court on the return date. Civilian complainants in such cases will be directed to report to the police superior officer of the court concerned, on the return date, for the purpose of preparing the complaint and swearing to it in court. Arresting officer complainant's and store detectives will be required to appear in court on the return date, to draw the complaint and process defendants through arraignment. However, arrests effected for peddling for which desk appearance tickets are issued shall continue to be processed in accordance with established procedures.

The procedure of excusing assigned police officers from appearing in court on civilian complainant-desk appearance ticket cases will be applicable to cases returnable to the various parts of the Criminal Court, the Family Court, and in all commands throughout the city.

Desk appearance tickets will be made returnable not less than ten (10) nor more than thirty five days, from the issuance date, other than Saturdays, Sundays or holidays, except in multiple arrest cases, where one or more defendants is deemed not eligible, desk appearance tickets issued to those defendants who qualify, will be made returnable to court (night, weekend, holiday or next-day session), at the same time that the other co-defendants are to be arraigned, in order to permit the arraignment of all co-defendants at the same time.

Desk appearance tickets will be made returnable at 0930 hours, except:

1. In the borough of Queens, civilian complaint - desk appearance ticket cases - returnable to the arraignment part of the criminal court, in cases where the assigned officer is excused on the return date, will be made returnable at 1800 hours. The officer assigned for the purpose of issuing the desk appearance ticket in these cases, will draw a line through the time of 9:30 a.m. on the desk appearance ticket and enter the time of 6:00 p.m. directly beneath it. The 6:00 p.m. return time will also be indicated on the "Court Appearance Instruction" form given to the civilian complainant.

Where the police officer is the complainant, the return date must be in accordance with the officer's duty schedule, as he will be required to appear in court on the return date. If an officer, assigned to a civilian complainant arrest, is required to appear in court on the return date, the return date must be in accordance with the assigned officer's duty schedule (see paragraph 7, for circumstances under which an assigned officer may be required to appear on the return date) Where the assigned officer is excused on the return date, the desk appearance ticket can be made returnable on a date convenient to the civilian complainant, other than Saturdays, Sundays or holidays, but within the 10 to 35 day time period.

For the purpose of this instruction, a civilian complainant is any person, other than a police officer, who alleges the commission of an offense and who upon arrest of the accused is required to swear to the truth of such allegation on a formal court complaint.

Therefore, effective immediately, whenever an arrest is effected on the basis of a complaint made by a civilian, and a police officer is assigned only for the purpose of taking the defendant into custody and issuing the desk appearance ticket, and the assigned police officer has no personal knowledge of the details of the case, such assigned officer will be excused from appearing in court on the return date. However, if in the process of effecting the arrest, and after the defendant has been advised of his rights, the defendant voluntarily makes statements or admissions to the assigned police officer relative to the offense charged, other than mere denial, such assigned officer may be required to appear in court on the return date. If in the opinion of the Tour Commander in the facility of arrest, the assigned officer has information which is material to prosecution of the case, or his appearance is otherwise necessary in court, he shall direct the assigned officer to appear in court on the return date.

When the assigned officer will be excused from appearing in court on the return date of a desk appearance ticket case, the civilian complainant will be directed to report to the police superior officer of the court concerned, on the return date. Such civilian complainant will be given the triplicate copy of the desk appearance ticket and a copy of the "Court Appearance Instruction-Form" (copy of which is attached to this order, with additional copies being supplied to commands concerned) This instruction form will be filled in by the desk officer and given to the civilian complainant, advising him of the date and time he is to appear in court, the location of the court and the specific room number in the court where he is required to report. In all other cases, the triplicate copy of the desk appearance ticket will be given to the police officer complainant, for presentation in court on the return date. In civilian complainant cases, the court superior officer will assign a member of his staff to assist the civilian complainant in having the court complaint prepared and docketed, and directing him to the part of the court in which the case will be arraigned.

In all civilian complainant - desk appearance ticket cases, in which the assigned officer will not appear in court on the return date, the assigned officer will prepare the following NYC forms, at the time of arrest, which will be stapled to the original copy of the appearance ticket and forwarded to the New York City precinct of arrest without any undue delay.

- a. Arraignment Card (301.1) one for each defendant
- b. Bench Warrant Report (Form 320) one for each defendant.
- c. Pre-arraignment/Arraignment Report (Misc. 333), two copies on each case (See paragraph 10, for preparation instructions)
- d. Non-Addict Report (CR-IN) one for each defendant (see paragraph 11 regarding Methadone patients)
- e. Arrest Disposition Report (PD 244-152) - (enter property voucher number if property is held as evidence) Forward original copy (see paragraph 14, for disposition of this form).

- f. Desk Appearance Ticket-forward original copy.
- g. In fingerprintable cases, attach Fingerprint Forms, Modus Operandi Pedigree Report, and JC 501.
- h. All pertaining Port Authority Police forms will be prepared by the arresting officer and forwarded to his commanding officer.

PRE-ARRAIGNMENT/ARRAIGNMENT REPORT (Misc. 333)

When an assigned officer in a civilian complainant desk appearance ticket case, is excused from appearing in court on the return date, such assigned officer, will prepare two (2) copies of the-pre-arraignment/ arraignment report (Misc. 333), more commonly referred to as the ARREST DATA REPORT. As the assigned officer will not be present in court to relate circumstances of the arrest to the assistant district attorney in the complaint room, it is essential that this form be properly and completely prepared. All required information will be filled in on the face of the form, including the defendant's telephone number and the home and business telephone numbers of the civilian complainant, and witnesses, if any.

1. Under the caption "Adjournment Dates," the assigned officer will list three dates on which he will be available if the court determines that his appearance is essential. In selecting available dates, the assigned officer should be guided by the following:
 - a. the first available date should be between one and two weeks after the return date;
 - b. the second available date should be between three and four weeks after the return date;
 - c. the third available date should be between five and six weeks after the return date.
2. As the court will utilize these dates in selecting adjournment dates for cases not adjudicated at arraignment, in which the assigned officer is required to appear on the adjourned date, it is essential that the officer select available dates on which he is scheduled to perform day duty. (Disregard suggested dates under items a, b, and c, of preprinted Misc. 333, as this applied to pre-arraignment processing).
3. On the reverse side of this form, after the appropriate captions pertaining to who witnessed or made the arrest and a description of the property entered, if any, the information required under NARRATIVE OF DETAILS will be filled in by the assigned officer. Specifically, the assigned officer should indicate how he became aware of the offense, (responded to a radio call, called by complainant, etc.; how evidence found, in whose possession, where and by whom; describe injuries to complainant, if any; give any statements or admissions made by defendant regardless of whether or not you believe them to be legally admissible). This information will be of additional assistance to the assistant district attorney prosecuting the case, and will be a determining factor on whether or not the assigned officer will be excused from subsequent court appearances. On the bottom of the form, the assigned officer will request excusal from subsequent court appearances and sign his name. The Tour Commander at facility of arrest will verify the completion of this form by signing his name and rank, directly beneath the assigned officer's signature.

METHADONE PATIENTS (Prepare Form NACC-CR-1)

If the defendant is a narcotic addict undergoing treatment at an authorized treatment center, the procedure outlined in the Criminal Procedure Law (N.Y.) will be complied with. If a desk appearance ticket is issued to such defendant in a civilian originated - desk appearance ticket case, the assigned officer will prepare NACC-CR-1 form, instead of the non-addict CR-IN, and forward it with the other forms indicated above.

STORE DETECTIVE - DESK APPEARANCE TICKET CASES

The above procedure will not apply to arrests effected by store detectives. Store detectives who are special patrolmen are authorized to issue desk appearance tickets and make all necessary court appearances in connection with the case. Store detectives who are not special patrolmen require that a police officer be assigned for the purpose of issuing the desk appearance ticket only. Such assigned police officer is not required to appear in court on the return date. Forms required to be prepared on store detective cases are prepared by the store detective when he appears in court.

PRESENTING EVIDENCE PROPERTY IN COURT ON CIVILIAN COMPLAINANT - DESK APPEARANCE TICKET CASES

Whenever a civilian complainant - desk appearance ticket case, involves property, which is required to be held as evidence, such property will be vouchred in the usual manner and forwarded to the borough property clerk as expeditiously as possible. If the evidence is subsequently required in court, the court superior officer will assign a member of his staff to secure the property from the property clerk on the date that it is required in court, unless the assigned officer is subpoenaed to appear, in which use the assigned officer will secure the property from the property clerk and present it in court.

- a. In the case where a police officer assigned to the court is required to obtain the property for presentation in court, the court superior officer will prepare a request on official letterhead (PD-158-151), addressed to the Property Clerk, identifying the property requested, the precinct voucher number, obtained from the arrest disposition report, and the police officer designated to obtain such property. The designated police officer will present this request to the property clerk and deliver the property to court as required.
- b. When the property is no longer required as evidence, the designated police officer will instruct the claimant to obtain a district attorney's release of the property. The designated patrolman will then accompany the claimant to the property clerk's office for return of the property to the claimant. If the property is still required to be maintained as evidence, the designated patrolman will return it to the property clerk and obtain a receipt for same.

**OBTAINING COURT DISPOSITIONS ON DESK APPEARANCE TICKET CASES
WHERE ASSIGNED OFFICERS ARE NOT REQUIRED TO APPEAR IN COURT.**

Since police officers assigned to civilian complainant - desk appearance ticket cases, will not be present in court to obtain final dispositions, the original copy of the arrest disposition report (PD 244-152) will be forwarded with the other forms indicated in paragraph 9, of this instruction. In cases involving property being held as evidence, the precinct voucher number must be entered on the form. The police superior officer in the court will cause this form to be docketed at the same time as the related complaint is being docketed. If the case is adjudicated at arraignment, the court superior officer will cause the disposition to be entered on the arrest disposition report, sign it, and forward it to N.Y.C.P.D. Central Records. If the case is not disposed of at arraignment, he will hold the docketed arrest disposition report in the police room until a final disposition is obtained, at which time he will enter the final disposition, sign it, and forward it to N.Y.C.P.D. Central Records.

INTRODUCTION

This instruction prescribes the procedure for the receipt, distribution, service and voidance of the New Jersey Uniform Traffic Summons.

I. NEW JERSEY UNIFORM TRAFFIC SUMMONS

The New Jersey Uniform Traffic Summons consists of four parts:

1. the Complaint printed on white paper;
2. the Police Record, which is a duplicate copy of the entire complaint and is printed on green paper;
3. the Officer's Copy, which is a duplicate copy of the entire complaint and is Printed on yellow paper;
4. the Summons, printed on white cardboard stock, which is a copy of the entire complaint.

II. RECEIPT OF NEW JERSEY UNIFORM TRAFFIC SUMMONS BY FACILITY

- A. Uniform Traffic Summonses that are received at a facility, will be recorded in numerical sequence in the Summons Log, Form 1768. Discrepancies, if any, will be brought immediately to the attention of the facility commanding officer.
- B. Any controls or receipting required by the municipality from whom the Uniform Traffic Summonses are obtained will be complied with,

III. DISTRIBUTION OF NEW JERSEY UNIFORM TRAFFIC SUMMONSES BY FACILITY COMMANDING OFFICERS

- A. Blank Uniform Traffic Summonses will be issued to police personae: upon verbal request by the facility commanding officer. At the time of receipt, the requesting officer shall sign for than in the space provided on the Summons Log, Form 1768.
- B. The quantity of "Uniform" Traffic Summonses issued to each individual is determined by the police commanding officer; however, the minimum issue of blank traffic tickets will be three per officer.
- C. Blank "Uniform" Traffic Summonses issued and remaining outstanding for a period designated by commanding officers are recalled and reissued to police officers normally requiring large quantities of traffic tickets.

IV. ISSUANCE OF "Uniform" TRAFFIC SUMMONS

- A. As soon as practical, an officer issuing a "Uniform" Traffic Summons to a violator calls the police desk with the following information: Name of police officer, Summons number and time served. This information is entered in the Police Blotter by the desk officer. If possible, he delivers to the police

desk the three remaining copies of the traffic summons within thirty minutes.

NOTE: The letters P.A. will be entered on all summonses after the officer's name. This will assist the N.J. Division of Motor Vehicles in identifying summonses issued by the Port Authority, Police

NOTE: This signing or partial completion of a summons prior to its actual issue is prohibited.

- B. The desk officer upon receipt of the "Uniform" Traffic Summons copies, prepares Summons Record, Form 74A, (personal service summonses only) from the information available thereon.
- C. The date on which a summons is served by a police officer is obtained from the copies and recorded in the Summons Log, Form 1768, which is maintained on a current basis. Local facility procedure will govern who is to post this information in the Summons Log.
- D. The Officers Copy (yellow) will be retained at the facility for further processing. The Complaint (white) and the Police Record (green) will be processed according to existing local procedures.

V. DISPOSITIONS OF ISSUED NEW JERSEY UNIFORM TRAFFIC SUMMONSES

Facilities will arrange to obtain dispositions of Universal Traffic Summonses in accordance with local agreements.

- A. Each month a memorandum listing all New Jersey "Uniform Traffic Summonses disposed of by the courts during the month will be prepared by the issuing facility. The Officers Copy (yellow) of each summons issued during the month, with the disposition noted on the back, will be forwarded along with the memorandum to the office of the Deputy Inspector-Operations by the 10th day of the following month.
- B. NOTE: At the Holland Tunnel and Newark Airport a computer print out of summons dispositions is supplied to the facility police unit by the local police dept. The print out accompanied by the officer's copy (yellow) and a letter of transmittal is forwarded to the New Jersey Motor Vehicle Bureau in Trenton, New Jersey by the N.I.A. and Holland Tunnel police units. A copy of the computer print out and the letter of transmittal are forwarded to the office of the Deputy Inspector - Operations.

VI. REQUEST FOR VOIDANCE OF NEW JERSEY UNIFORM TRAFFIC SUMMONS

- A. Mutilated and Unservable Traffic Summonses
 1. All four parts of the New Jersey Uniform Traffic Summons, which is mutilated or otherwise rendered unusable, will be forwarded to the facility commanding officer with a report of the circumstances.
 2. The facility commanding officer will investigate the circumstances regarding the mutilation or other damage to the Uniform Traffic

Summons and will forward a report of his investigation appended to the complete summons to the Deputy Inspector - Operations.

3. The word "void" will be entered in the Summons Log, Form 1768, under the column DATE SERVED to account for the summons.
4. All correspondence to outside agencies relating to voiding or otherwise unusable summonses will be prepared by the office of the Superintendent of Police.

B. Improperly Prepared Traffic Summons

1. Once an officer starts a summonses he has no authority to make change on the summons. If an officer notices that he has made an error in preparing the complaint part of a Uniform Traffic Summons, he should not cross out or erase any information but prepare a new summons and serve the summons part of the new summons on the violator.
2. A Xerox copy of the complaint part of the summons containing the error and the complaint part of the replacement summons will be made.
3. The reproductions of the complaint part of both summonses and a copy of the officer's statement will be forwarded to the facility commanding officer for investigation.
4. All four parts of the summons containing the error and a signed statement by the officer who prepared the ticket explaining the "void" summons, will be attached to the complaint part of the new summons and forwarded to the Court, after the commanding officer has completed his investigation.
5. The facility commanding officer, after investigating the facts and circumstances as to the "voiding" of the summons, will forward a report of his investigation together with the reproduction of the complaint parts and the officer's statement to the Deputy Inspector - Operations.
6. An entry will be made in the Traffic Sumas Log, Form 1768, to show that the voided summons was not served and the number of the summons served in its place.

VII. PARKING METER LOG

Each New Jersey facility, which has parking meters, will maintain a Parking Meter Log. The log will state the meter number, time and date taken out of service and by whom, time and date returned to service and by whom.

VIII. PROCEDURE - PARKING METERS r NEWARK AIRPORT

- A. Subsequent to the service of the Summons part of a Uniform Traffic Summons at a parking meter, if a motorist states the meter is defective, the officer will test the accuracy of the meter in the presence of the alleged violator by inserting a coin to verify that the meter is active and the flag moves to its full time limit. If the test proves the meter to be defective, the following procedures will prevail.

1. Advise the person who was served to mail the summons to Municipal Court, Part 6, City Hall Annex Building, Newark, New Jersey, Attention: Chief Clerk, with a letter explaining that the meter was defective and that it was reported to the police.
 2. Immediately notify the facility police desk where an entry will be made in the Parking Meter Log indicating the parking meter number and the fact that the meter was placed out of service.
 3. A notation that the meter was found to be defective will be made on the reverse side of the Police Record part and the Officer's Copy of the Uniform Traffic Summons.
 4. The Complaint part, Police Record part, and Officer's Copy of the summons, will be forwarded to the Facility Commanding Officer who will prepare a letter to the court verifying the fact that the meter was defective when the Summons part was served and requesting that it be voided. A copy of this letter will be forwarded to the Deputy Inspector - Operations.
 5. The word "void" will be entered in the Summons Log, Form 1768, under the column DATE SERVED to account for the ticket.
- B. If, while the Complaint part of a Summons is being prepared and the Summons part has not yet been served, the motorist states the meter is defective, the officer will test the meter in the presence of the alleged violator by inserting a coin to verify that the meter is active and the flag moves to its full time limit. If the test proves the meter to be defective, the following procedure will prevail:
1. Complete the Complaint part of the Summons as though the Summons was to be served.
 2. Immediately notify the facility police desk, where an entry will be made in the Parking Meter Log indicating the parking meter number and the fact that the meter was placed out of service.
 3. A notation that the meter was found to be defective will be made on the reverse side of the Police Record part and Officer's Copy of the Uniform Traffic Summons.
 4. Do not serve the Summons part but forward all four parts of the Summons to the Facility Police Commanding Officer with the pertinent information.
 5. The Facility Commanding Officer will investigate the incident and will forward all four parts of the summons together with a copy of his investigation to the Superintendent of Police.
 6. The word "void" will be entered in the Summons Log, Form 1768, under the column DATE SERVED to account for the ticket.

7. The Superintendent of Police will direct that all 4 parts of the summons be forwarded to the court together with a letter requesting that the ticket be voided.

IX. DEFECTIVE PARKING METERS

- A. Facility commanding officers will cause defective meters to be inspected and placed out of service by covering the meter coin slot with a printed sticker, Form 2701, which notifies the public that the meter is out of service. The sticker will remain on the meter until it has been repaired.
- B. Vehicles will be permitted to park in defective meter spaces, without cost, for the time period normally permitted when the meter is operating.
- C. The officer will record on Form 2701 the time and license number of any vehicle parked at a defective meter and on his return trip, if the vehicle previously noted has exceeded the posted time limit, he will summons it for overtime parking.
- D. In New Jersey, the Universal Traffic Summons will be served for overtime parking and will describe the violation on the complaint by including the times the vehicle was parked in violation of the posted regulations. No mention of defective meters will be made in these cases.

X. RECOMMENDATION FOR LICENSE REVOCATION

- A. Arresting officers may recommend the revocation of a driver's license when it is the officer's opinion that a motor vehicle operator who they have summonsed or arrested, is incapable of operating a motor vehicle safely on the highway, or is a potentially dangerous driver. This does not mean, however, that officers are to recommend promiscuously, the revocation of a motorist's driving privileges. Action of this type should only be taken in the most serious cases, and then only if there is reason to believe that the violator evidences a consistent pattern of a particularly serious nature.
- B. An officer wishing to make such a recommendation will discuss the validity of his conclusions with his Tour Commander. If the Tour Commander agrees, the recommendation will be forwarded to the Commending Officer for concurrence and action.
- C. If in the opinion of the Commending Officer the recommendation for revocation is valid, he will forward it to the magistrate before whom the complaint is to be heard, and to the Director Of Motor Vehicles, attention: Driver Improvement Section, Trenton, N.J. A copy of the summons and the recommendation will also be forwarded to the Deputy Inspector of Operations.

XI. MOTOR VEHICLES BEARING " SPECIAL PRIVILEGE" IDENTIFICATION

- A. Summonses may not be issued to "AMPUTEES" (or other disabled motorists) when their identified vehicles are parked overtime, except when parked in one location for more than 24 hours.
- B. Identification of a disabled person's motor vehicle consists of:

1. A special identification card issued by the Director of the N.J. Division of Motor Vehicles, for the exclusive use of the disabled person.
2. A certificate indicating that a special vehicle identification card has been issued for the vehicle. The certificate will be pasted on the lower right hand corner of the windshield.
3. A metal insignia, which will be, attached to the license plates of the vehicle.

The only privilege extended to disabled persons is overtime parking. All other violations are answerable in court and any abuses of privileges could result in revocation of all such special privileges.

XII. GENERAL

A. Use of Port Authority Statutes

1. Motor vehicle violations which occur on Port Authority property must be charged under the appropriate Port Authority statute rather than under the Motor Vehicle Laws of the States of New York and New Jersey, nor under municipal traffic regulations.

Chapter 192, Laws of New Jersey 1950 will be used for tunnels and bridges traffic violations.

Chapter 239, Laws of New Jersey, 1951 will be used for air and marine terminal traffic violations.

B. Issuing Summonses to Buses

1. Since it is not the intent of the Port Authority to penalize persons riding a bus, for an infraction of the law committed by the driver, any bus traveling an authorized route will not be delayed unduly by any member of the force who finds it necessary to issue a summons to the driver for a minor traffic violation.
2. The officer will obtain the driver's name, identification number, and home address. The driver will be informed to stop on his return trip to receive the summons as will be further informed that failure to return will result in a call to his home and business and that a summons will be issued at either location.
3. When the officer allows the driver to continue his trip without issuing a summons, the Tour Commander will be notified.
4. If it is determined that the driver is unfit to drive, or the vehicle is unsafe, the vehicle will be detained and the company involved notified to send another driver or vehicle, as the case may be.

I. INTRODUCTION

This instruction outlines the procedures for court and other official appearances required by members of the force.

II. PURPOSE:

- A. To reduce the number of instances in which members of the force are directed to officially appear before courts, governmental and other agencies, during their off duty time.
- B. Establish the appearance and conduct of members of the force when officially appearing before courts, governmental and other agencies.

III. DEFINITION

For the purpose of the remainder of this instruction, whenever the word COURT is used, it shall mean not only traffic, criminal, civil or other court; but shall also mean any official governmental agency hearings.

IV. OFFICIAL APPEARANCESA. Wearing of Uniforms

- 1. All uniformed members of the force when appearing as a witness Or complainant in any court, will be attired in the uniform of the day, unless permission has been received from his commanding officer to attend in civilian attire. Commanding officers will be guided by local court procedure and rules in granting this permission.
- 2. When appearing in civilian attire, he shall be in business dress and shall wear his shield on his outermost garment over the left breast, while in the courtroom, complaint office and whenever he is escorting a prisoner.

B. Initial Appearance

- 1. Initial court appearance for arraignment is primarily controlled by the time and day of arrest. Members of the force will be governed by the local containing jurisdiction in expeditiously arraigning their prisoners and will return promptly to the facility upon completion.
- 2. Initial court appearances where advance notice is given will be scheduled on a working tour whenever possible.

C. Re-Appeances

- 1. Any member of the force, who is requested by a court to select a date for re-appearance, will select a date on which he is working a scheduled tour of duty, which coincides with the hours that the court is in session. If this is not possible, the officer will select a date for re-appearance on which he is working any tour of duty.

2. When reporting back to his command from the initial or re-appearance, the officer will complete Form PA 2286 - Postponement or Disposition Report, or PA 2856 - Arrest and Court Appearance Record, whichever his command is using, indicating when applicable, the new court appearance date.
3. If the court re-appearance is to take place on other than a scheduled tour of duty, the officer will note the reason for this assignment in the remarks section of the above forms. The reason will specify who set the date, (e.g., Judge, Court Clerk, District Attorney) and why.
4. Upon receipt of a PA 2286 or PA 2856 from an officer, which indicates a rescheduled court appearance on a date and at a time other than a scheduled tour of duty, the facility commanding officer will do one of the following:
 - a where a court re-appearance falls on a scheduled day off, the officer will be scheduled to report for duty as per local facility instructions and receive premium compensation, and carfare when applicable; *
 - b where the court re-appearance falls on a scheduled work day, but not during the officer's hours of work:

his hours of work may be changed to permit him to attend court during his tour of duty. This will be done in all cases where the man is scheduled for New York City Criminal Courts 9:00 AM – 5:00 PM

he may be permitted to work overtime outside of his regular tour to attend the court session in accordance with the current provisions on overtime

* Commanding Officers should verify with the courts, when possible, that the case couldn't be scheduled during the man's working tours before approving overtime work on the man's scheduled day off.
5. Where a man is ordered to stand by for possible court appearance, (Telephone Alert System) he will stand-by at the facility and be utilized on the tour where possible, until called.

D. Signing On and Off Duty for Appearances

Members of the force attending court must sign on and off duty at their facilities as directed by the commanding officer.

E. Personal Cases

All time spent in court on any personal cases will be handled on the officer's own time, except as otherwise provided in PAI 20-3.05, dated August, 1967, Excused Absences, Paragraph III A-1.

- F. Whenever a member of the force makes an arrest, which is not directly associated with his Port Authority duty assignment, he will probably be required to make one or more subsequent court appearances. If the time of such court appearance coincides with a scheduled tour of duty, the

member of the force will be excused for whatever portion of the tour necessary to fulfill the court appearance. If the court appearance occurs other than during a scheduled tour of duty, the officer will be granted four hours overtime compensation.

Where police action taken is not directly connected with the arresting officer's duty assignment, the member of the force will not be compensated for the time spent in effecting the arrest and booking the defendant.

V. REGULATIONS AND CONDUCT OF MEMBERS OF THE FORCE IN "COURT"

A. Demeanor

The appearance and demeanor of a member of the force is constantly being observed by the court and jury both while on the stand and while in the courtroom before and after testifying. His appearance, conduct and attitude should be such as to add to the dignity of the court.

B. Complaints

A member of the force shall give all the facts, including names and addresses of witnesses to the prosecuting attorney assigned to the case, and before preparing complaints will, if possible, confer with said attorney.

C. Memorandum Books

1. When a police officer testifies as a witness in any criminal case, the defendant is entitled to have produced, any written memorandum made by the officer concerning the matter about which he is testifying. Therefore, he shall be required to take his memorandum book, which contains the entries concerning the matter in which he is to testify, to court. He should confer with the prosecuting (district) attorney before the trial and show him the memorandum book and any other written memoranda concerned.
2. Listed below are examples of the type of information, relative to an arrest that should be entered in the memorandum book by the officer concerned without delay, while the details of the case are still fresh in his mind and the complainants and witnesses are still available to supply information.
 - a The defendant's name and address
 - b The complainant's name and address
 - c The names and addresses of witnesses
 - d Time and place of occurrence
 - e The acts of the defendant which resulted in the arrest
 - f The specific charge or charges
 - g Description of the weapon or weapons involved
 - h A full description of personal injuries or property damage

NOTE: Detectives and plainclothesmen assigned to the Investigative Unit will be governed by orders and instructions issued by the Commanding Officer of the Investigative Unit, with regard to this instruction.

D. Timekeeping Responsibility - New York City Criminal Courts

1. A member of the force attending a New York City Criminal Court will report to the New York City Police Superior assigned to the police sign-in room. He will be given a New York City Police Department form (PD-468-145), "Court Attendance Record" (see Appendix "A"). After making the required entries, he will return the form to the New York City Police Department Superior, who will record his arrival time by use of a time clock. The officer will retain the form until he has completed his appearance in the building. At this time the officer will return to the police room, where his form will be stamped with the departure time in the appropriate space.
2. The officer will return this New York City Police Department form to his command, attached to either the PA 2286 or PA 2856. Failure to do so without a reasonable excuse will result in no credit for the time spent in court.
3. Commanding Officers will utilize these forms as a control on actual court time expended by members of the force and will establish criteria for time allowed, both going to and returning from New York City Criminal Court appearances.

E. Supervision of Members of the Force in Court

1. Commanding Officers will assign a superior officer of the rank of Sergeant or above to make periodic spot Checks in the various courts to ascertain if all regulations and conduct of members of the force in court are being complied with.
2. Where violations are observed, the superior officer assigned will submit his report to his commanding officer with a copy to the Deputy Inspector Operations with his recommendations.
3. The superior officer assigned shall wear either the uniform of the day or civilian business attire as determined by the commanding officer, in making these spot checks.

- F. To assist commanding officers in evaluating the performance of the members of their commands, the triplicate copy of form PD 244-156 (Arrest Report) together with the N.Y.C.P.D. copy of the related court complaint shall be delivered to the arresting officer's commanding officer for his review.

Effective immediately, each arresting officer shall, when present at the court complaint room, present the officer's copy of form PD 244-156 to the Assistant District Attorney assigned to the complaint room for his review. The arresting officer shall request the Assistant District Attorney to sign the arrest report. After the complaint has been prepared, the officer shall retrieve the triplicate copy of the arrest report and shall request the N.Y.C.P.D. copy of the court complaint.

The docket number shall be entered on the face of the affidavit. The arresting officer shall submit the triplicate copy of the arrest report together with the copy of the court complaint to his commanding officer or other designated superior officer as soon as possible after the arraignment of the defendant.

In all cases, the superior officer actually reviewing the reports shall personally make the written statements required by V, 8,2 of this P.D.I. If the reports are reviewed by other than the arresting officer's commanding officer, such superior shall be responsible that the commanding officer is notified of any case in which a discrepancy appears between the booking and arraigning charges. The commanding officer must be notified, regardless of the fact that the discrepancy may have resulted from actions of the Assistant District Attorney.

The superior officer to whom the court complaint is submitted shall check for omissions, deletions, or improper presentation of facts. He shall question the officer relative to any discrepancies between the arrest report and the court complaint, particularly where there is a difference between the charge on the court complaint and the charge on the arrest report. The superior officer shall enter upon the court complaint a statement of his findings and any steps taken to correct deficiencies. Immediately below his statement, he shall sign the complaint form indicating his rank and date of review. The court complaint, together with the officer's copy of the arrest report, shall be filed in the arresting officer's command alphabetically, under the name of the arresting officer.

The arresting officer must also comply with Appendix "F" which outlines the procedure to be followed when charges are dismissed by an Assistant District Attorney when he deems that the facts as related to him do not constitute an offense.

In instances where a discrepancy is noted or where a charge has been reduced or dismissed, the commanding officer shall conduct an investigation and take whatever action is necessary.

VI. OTHER RESPONSIBILITIES

A serious problem is created when a member of the force is scheduled to appear in court and cannot do so. This is aggravated when the courts are not notified. The New York City Criminal Court and some other agencies have requested that they be notified at least five (5) days prior to a scheduled appearance if a member of the force will not be available. To minimize this problem, the following will be adhered to:

A. Diary Entries

Each command will maintain court appearances in the facility diary, which will be checked for conflicts when assigning men compensatory time, vacations and overtime. This diary must also be checked every day covering the next five (5) days to pick up anyone who is unable to appear and may have failed to notify his command.

In cases of conflict, court appearances must come first.

B. Conflicts

Members of the force having scheduled appearances in more than one (1) part of the court or in different courts at the same time must immediately notify their command so that the conflict can be resolved.

C. Notification to Courts

Members of the force calling in sick, out sick, on vacation or excused time or otherwise unable to appear at a scheduled court appearance, must advise their commands of this fact so that proper notification can be promptly made, and an adjournment date requested until the probable date of the officer's ability to appear.

Where possible, the notification will be made seven (7) days, exclusive of Saturdays, Sundays or holidays prior to the scheduled appearance. EXCEPTION: Courts other than New York City Criminal or New York City Criminal Term Part of Supreme Court can be made by 9:00 AM on the morning of the appearance date.

D. Appeals

When official notification is received of a pending appeal case, by any member of the force, it will immediately be brought to the attention of his commanding officer.

This information will be relayed to the Deputy Inspector - Operation: by telephone, who will be responsible for informing the Port Authority Law Department. This information, in the form of a memorandum with all the facts of the case, will then be submitted to the Superintendent of Police, as a follow-up.

E. Extended Absence

When a command is notified by a court of a NOT GUILTY PLEA involving a member of the force who is on extended absence, the commanding officer will:

1. Inform the clerk of the court at the time he calls, that the officer is on extended absence of thirty (30) days or more.
2. Notify the command of the officer, in the event he is not assigned to the notified command.
3. The appropriate commanding officer will set up a folder listing the name of the officer and the NOT GUILTY PLEA case.
4. Upon return from the extended absence, the court clerk of the concerned court in New York City will be advised and a date then scheduled for the appearance.
5. If a notification for a traffic court appearance is received at a command for a member who has resigned, retired or is suspended, an immediate notification of this fact shall be made to the court.

F. Court Appearances by Retired Members of the Police Division

When a member of the Police Division retires prior to the adjudication of either a criminal or civil proceeding in which they were involved as witnesses, the following is the procedure for determining what, if any, compensation the retired member of the force is entitled to for his appearance in court.

1. Criminal Proceedings: The retired member of the Port Authority Police will not be compensated in any manner by the Port Authority for his

appearance at any criminal proceeding, which arose prior to his retirement. It is assumed that the District Attorney, Court, Federal Attorney, Prosecutor's Office, or other involved offices, will subpoena the retired officer to assure his court appearance.

The facility Commanding Officer who receives a subpoena in the name of a retired officer will return the subpoena to the agency, which caused its issuance, informing the agency that the Officer named in the subpoena has retired. The last known mailing address of the retired officer will be forwarded to the issuer when the subpoena is returned

A memorandum will be forwarded to the Deputy Inspector of Operations stating all pertinent information regarding the court proceedings, retired officer's name, last known mailing address and the name of the agency that issued the subpoena.

2. Civil Cases Not Involving the Port Authority: In any civil proceeding in which the Port Authority is not a party or otherwise directly interested, the policy and procedure to be adhered to will be exactly as enumerated in "A" above. It will, of course, be the responsibility of the attorney of either the plaintiff or the defendant to serve the subpoena on the retired officer.
3. Civil Cases Involving the Port Authority: In any civil proceeding in which the Port Authority is a party, the Police Division will assist the Law Department in the serving of the subpoena to the retired officer. The Law Department, not the Police Division, will determine the monetary compensation the retired officer is to receive to defray the costs of his appearance at the civil proceeding.

G. Notice of Jury Service

Any member of the Port Authority Police Division who receives a jury notice shall designate on the reverse side of the notice that he is a police officer and thereby exempt from jury duty.

Should this claim of exemption be challenged, the officer will forward the notice to his Commanding Officer who will in turn forward the notice to the Port Authority Law Department for adjudication.

H. Telephone Verification of Warrants Outstanding

The New York City Police Department Court Division is responsible for maintaining files of all persons wanted on warrants issued by the Supreme, Criminal and Family Courts, Narcotic Addiction Control Commission and other agencies.

Accordingly, in an attempt to insure that no arrested person is processed through the criminal justice system while a warrant for such person is outstanding, the Court Division has established an around-the-clock operation for inquiries concerning whether or not a warrant is outstanding for such arrested person. To determine if a warrant is outstanding members of the force shall call 374-3970.

Arresting Officer. A name check of each person coming into police custody shall be made by the arresting officer with the Central Warrant Section of the Court Division to determine if a warrant is outstanding. It must be recognized, however,

that may warrants are issued for crimes or offenses for which the taking of fingerprints was not required and the person will not have a B number. Without proper identification a positive HIT cannot be made. Therefore, a member of the force calling the Court Division should be prepared to give the following information:

- Name - Alias (if any)
- Sex
- Date of Birth
- Address
- Previous Address
- Any relevant identification numbers such as:
 - Social Security Number
 - Operator/Chauffeur license number, etc

The arresting officer shall indicate on the N.Y.C.P.D. Arrest Report (PD 244-156) and/or Supplementary Arrest Report (PD 244-157) under "details of arrest," the following information re the member of the force contacted at the Central Warrant Section:

Date	Name *
Time	Shield Number (if any) *
Rank	Results

The N.Y.C.P.D. has instructed their desk officer, at all precincts, to review the N. Y.C.P.D. Arrest Reports (PD 244-156) end/or Supplementary Arrest Reports (PD 244-157) asking certain the above additional information has been properly recorded thereon.

"Hits": Should an inquiry result in a "hit", the arresting officer will obtain all the necessary information recording it as required.

Arraignment. The Court Division, Warrant Section, will make every effort to deliver outstanding warrants to the arresting officer prior to arraignment. In any case the ADA should be appraised of this information at which time he will also direct the placing of additional charges if necessary e.g., PI sec. 215 – Bail Jumping.

APPENDIX "A"

SAMPLE

NEW YORK CITY ATTENDANCE FORM

1. TIME ARRIVED AT COURT		4. TIME DEPARTED COURT		
RANK	NAME (Print)	SHIELD	SQUAD	COMMAND
CASE/DEFENDANT (Print)		ARREST NO.	COURT/PART	
1.				
2.				
3.				
4.				
5.				
Was this court appearance on a scheduled day off?			<input type="checkbox"/> YES	<input type="checkbox"/> NO
Was this appearance in excess of a normal tour of duty?			<input type="checkbox"/> YES	<input type="checkbox"/> NO
Was any time lost as a result of this court appearance?			<input type="checkbox"/> YES	<input type="checkbox"/> NO
If YES, indicate actual hours lost at straight time			TOUR WORKED	TIME RETURNED TO COMMAND
VERIFIED BY (Desk Officer)			LOST TIME RECORDED BY:	
CASE ADJOURNED		NEW DATE	COURT/PART	
1.	<input type="checkbox"/> YES <input type="checkbox"/> NO			
1.	<input type="checkbox"/> YES <input type="checkbox"/> NO			
1.	<input type="checkbox"/> YES <input type="checkbox"/> NO			
1.	<input type="checkbox"/> YES <input type="checkbox"/> NO			
1.	<input type="checkbox"/> YES <input type="checkbox"/> NO			
ENTERED IN DIARY BY:			SCHEDULED TOUR NEXT COURT DATE	
IF ADJOURNED DATE IS A SCHEDULED DAY OFF, EXPLAIN				
COURT ATTENDANCE RECORD			PD 468.141(9-68)	
2. TIME LEFT FOR MEAL		2. TIME LEFT FOR MEAL		

Central Police Desk Subpoena Logbook

Date	Time	From	By	For	#	When/where	Ntfd.	By
12/1	9:50 AM	Jones	JL	Smith	12345	12/5 CC 5A	10:10 PM	JL

Subpoenas received at other than the affected facility or command, will be logged in and delivered by the Summons Courier to the proper facility command, logged in there and delivered to the Police Officer concerned. If the Officer is not available, delivery will be effected by U.S. Mail to his home address by his command. In these cases, telephone notification should be made immediately to the Officer and command concerned.

If it is not possible for the person subpoenaed to appear on the time and date specified, notification must be made to the court in accordance with Paragraph VI sub. C, and that entry must be recorded in the subpoena logbook or police blotter, as a record of the notification.

APPENDIX CPRE-ARRAIGNMENT PROCESSING IN THE BOROUGH OF QUEENSINTRODUCTION

Effective October 1, 1969, a pre-arraignment processing facility was established in the Queens Criminal Court building. The facility is operated in cooperation with the Queens County District Attorney and the Office of Probation.

Pre-arraignment processing involves those steps, which must be taken between the booking of an arrest and the presentation of the defendant in court for arraignment. It will include the screening of the case by an Assistant District Attorney, the preparation and swearing to of the complaint and the interview of the defendant by the Office of Probation.

TIMES AFFECTED

Pre-arraignment processing will, for the time being, be limited to those arrests, which are effected during the hours, which require arraignment in the Night, Weekend or Holiday Parts of the Criminal Court. At the completion of pre-arraignment processing the arresting/assigned officer and the civilian complainant will be excused and the defendant will be taken to court and arraigned by a New York City Police Department escort officer.

The pre-arraignment processing facility will be in operation during the following hours:

- a. Monday through Friday - 4:00 PM to 12 Midnight;
- b. Saturdays, Sundays and Holidays - 8:00 AM to 12 Midnight.

PROCEDURE

All arrests on or off duty, effected in the Borough of Queens, which complete the New York City precinct booking process during the above hours, shall be processed as follows:

- a. upon completion of all processing at the precinct of arrest, including fingerprinting, if required, and booking, the arresting officer shall immediately transport the defendant (s) to the pre-arraignment processing facility. A NYCPD patrol wagon shall be utilized where possible; however, a screen-equipped NYC radio car or Port Authority vehicle car may be used in the absence of a readily available patrol wagon, at the discretion of the NYCPD Desk Officer, to expedite the movement of the prisoner, complainant, and arresting officer to the pre-arraignment processing facility;
- b. if there is a civilian complainant in the case, he shall be directed to report to the pre-arraignment processing facility immediately. Where transportation is not readily available for the complainant or where the complainant is injured or would otherwise experience difficulty in traveling to the pre-arraignment facility, the tour commander or precinct desk officer may direct that he be transported to the pre-arraignment facility in a N.Y.C. or P.A. vehicle. However, if the complainant is transported in the same screen-equipped

N.Y.C. radio car or P.A. vehicle as the defendant, the complainant shall be transported in the operator's compartment of the vehicle;

Tour Commanders shall use utmost discretion in directing that a complainant be transported in the same vehicle with the defendant and shall not do so, if the circumstances of the case indicate that this would aggravate the condition. Where transportation is not going to be provided for the civilian complainant, he should be directed to depart for the pre-arraignment facility while the officer is still processing the case. In this manner, there will be less chance of the officer experiencing a delay at the facility waiting for the arrival of the complainant. Civilian complainants and witnesses will be directed to report to the 82nd Avenue entrance to the Queens. Criminal Court Building;

- c. upon arrival at the pre-arraignment facility, if the complainant is transported in the same vehicle as the defendant, he shall be discharged at the 82nd Avenue entrance to the Queens Criminal Court Building. The patrol wagon or car transporting the prisoner will then proceed to the Department of Correction gate, the operator of the vehicle shall ring the bell at the gate, wait for the closing of the gate before discharging prisoners;
- d. the prisoners shall be lodged in the Department of Correction detention pens serving the facility where a polaroid photo will be taken of the defendant. The arresting officer shall leave a completed UP 4 card on each prisoner with the Office of Probation representative in the cell block and shall then proceed to the complaint room;
- e. the arresting officer will report to the N.Y.C.P.D. superior officer assigned to the facility and will complete necessary reports as directed. The Assistant District Attorney shall maniac the facts of the case and will direct the preparation of the complaint.

When the complaint has been completed it will be sworn to before the N.Y.C.P.D. superior officer. When this is completed, the arresting officer and civilian complainant will be excused. The officer will than return to his command to complete his tour of duty. If there is a civilian complainant the officer will be responsible that the complainant is escorted to the nearest public transportation facility, or returned to the facility.

To insure prompt processing at the pre-arraignment facility, arresting officers shall comply with the following as applicable:

- a. all prisoners shall be handcuffed in accordance with PDI 4-14 when delivered to the Department of Correction holding pens at the facility. Handcuffs shall not be removed until directed by the Department of Correction officers.
- b. When recording charges on arrest cards and fingerprint forms, list the numerical section number of the law as well as the title of the section.
- c. Whenever a prisoner is a narcotic addict, either by his own admission or by knowledge of the arresting officer, forms NYC CR 1 and CR 2 will be prepared in triplicate at the precinct of arrest.

- d. If the arrest is made for a traffic violation, a separate A-246 must be prepared on each charge.

Much of the effectiveness of this process depends on the manner in which fingerprint forms are handled. If an arrest is fingerprintable, the arresting officer shall bring the fingerprint forms and D.D. 19 to the pre-arraignment facility with him unless they have previously been forwarded to the N.Y.C.P.D. Identification Section.

Selection of Adjudgment Dates

The arresting officer shall complete two copies of NYPD form MSC 333 (Pre-Arraignment/Arraignment Report) at the pre-arraignment facility. The purpose of this form is to transmit relevant information to the NYC Court Processing Officers to permit them to negotiate an appropriate adjournment date for the case and make necessary notifications.

In the preparation of this form, care shall be exercised to insure that sufficient information is included to enable the court processing officers to properly perform these tasks. The N.Y.C. Superior Officer assigned to the pre-arraignment facility shall verify the completeness' of this form by signing it in the appropriate space.

The arresting officer will describe his schedule in the space provided for this purpose and shall select three recommended adjournment dates in accordance with Section IV, C, and in cooperation with the NYC Superior Officer at the pre-arraignment facility.

SPECIAL PROCEDURES

- a. The Assistant District Attorney assigned to the facility or the NYC Superior Officer assigned thereat, shall have the authority to direct that the arresting officer and complainant proceed to court immediately for the arraignment of the defendant, should this be required by the circumstances of the case.
- b. After an examination of the facts concerning a case, the Assistant District Attorney may indicate that he is going to recommend a dismissal of the charges against the defendant at the time of the arraignment. The Assistant District Attorney will explain his reasons for this decision to the arresting officer and the complainant. In these cases, the arresting officer shall confer with the NYC Superior Officer assigned to the pre-arraignment facility. Should the arresting officer wish to contest this decision of the Assistant District Attorney, the NYC Superior Officer assigned to the facility may direct that the arresting officer and complainant, if any, accompany the defendant to court, where the officer may make the facts of the case known to the presiding judge.
- c. If the charge against the defendant is a misdemeanor which could be raised to a felony if the defendant had been previously convicted of a crime, the arresting officer shall comply with the directions of the Assistant District Attorney.

DESK APPEARANCE TICKET

Nothing in this order shall in any way interfere with the issuance of the desk summonses to qualified defendants under the Manhattan Summons program, as directed by the New York City Precinct Desk Officer. Where no summons has been issued at the New York

City Precinct of arrest, the Assistant District Attorney may, after considering the facts of a case, request that a particular defendant be reconsidered for release on a Desk Summons.

However, in such cases, the final decision as to whether or not a summons will be issued, remains with the desk officer of the precinct of arrest. If a desk summons is issued at the pre-arraignment facility, the summons Control Number of the precinct of arrest will be used.

REPORTS AND ORDERS REQUIRED

Commanding Officers, JFKA LGA and I.U. shall be responsible for the issuance of all necessary operational orders to members of their facility or command in connection with the implementation and operation of this project. To evaluate this project, Commanding Officers will submit periodic reports indicating their evaluation of:

- a. Reduction of time involved in processing arraignments.
- b. Savings in overtime hours by pre-arraignment.
- c. General comments on its operation and recommendations for improvement.

Criminal Complaint Reporting will continue in accordance with Police Division Instruction 4-10 and related orders, however, any Criminal Complaint Report cases handled by pre-arraignment processing will be rubber stamped on the face with the words, PRE-ARRAIGNMENT PROCESSED so that the Criminal Records Section will have control of cases so handled.

NEW YORK CITY POLICE DEPARTMENT PROCESSING OF THE PRISONER

The NYC Superior Officer assigned to the pre-arraignment facility shall arrange to periodically obtain the completed forms and related U.F. 4 - cards and shall attach same to the related court documents.

All defendants shall be transported to court by NYC patrol wagon. Commanding Officer, Queens Pre-arraignment, shall coordinate the assignment of patrol wagons with the Commanding Officer, Communications Division. However, if the number of prisoners to be transported is three or less of the same sex, a screen-equipped sector car may be used. NYC Officers assigned to transport the prisoners shall deliver all prisoners and court papers to the Brooklyn Criminal Court Building and shall follow the instructions of the superior officer assigned thereat.

NYC Police Officers shall be assigned to the Criminal Court Building and shall be designated as COURT PROCESSING OFFICERS. The court processing officers shall be under the supervision of the Superior Officer assigned to that building and shall be responsible for the following:

- a. Receiving and lodging in the Department of Correction detention cells, defendants delivered from the Queens Pre-Arraignment Processing facility;
- b. The additional processing of all papers delivered with such defendants, including the docketing of the court complaint and the delivery of the papers to the proper court authorities;
- c. presentation of such defendants before the court for arraignment;

- d. returning such defendants to the custody of the Department of Correction if they are remanded upon arraignment;
- e. obtaining commitment papers on such prisoners from the court clerk and delivering these orders to the Department of Correction;
- f. Utilizing the information supplied by the Port Authority arresting officer on the New York City Police Department Pre-Arrestment/Arrestment Report Form (Misc. 333), negotiate an adjournment date for the case, unless the case is disposed of at the arraignment;
- g. notifying the Port Authority arresting officer, complainant and witnesses of the adjourned date of the case in accordance with this instruction:

Notification of Adjournment Dates

The court processing officers shall be responsible that notifications are made to the arresting officers and complainants and that subpoenas are sent relative to adjournment dates in pre-arrestment cases. Procedures relative to the making of notifications and the records to be maintained in connection there with shall be established by the superior officer assigned to the Brooklyn Criminal Court Building.

Hold-Over Cases

Cases will continue to be processed at the pre-arrestment facility beyond the normal cut-off hour for night court arraignments. Such cases will be processed for arraignment in day or weekend court. Defendants in these cases will be detained overnight in Queens Precinct detention cells and arraigned by members of the pre-arrestment staff. Commanding Officer, Patrol Borough Queens shall select the precincts for the overnight detention of such defendants.

Pre-Arrestment Cut-Off Hour

To insure that cases delivered to the pre-arrestment facility are processed by 12 Midnight, NYC Precinct Desk Officers shall not forward a case to the pre-arrestment facility which will arrive after 11 PM, without first telephoning to determine that the case may be processed. If the volume of cases warrants, the superior officer assigned to the pre-arrestment processing facility may establish an earlier cut-off hour. Notifications will be made to all NYC commands.

12-8 Tour Booking - Fingerprint Forms

When an arrest is booked on the 12 Midnight to 8 AM. tour, regardless of whether or not it will be processed at pre-arrestment, the desk officer of the New York City Precinct of Record is responsible that the fingerprint forms are forwarded as follows:

- a. all fingerprint forms and one (1) copy of the DD 19 prepared after the final Identification Section messenger pickup, which is about 3 AM, shall be forwarded to the Precinct desk officer, to arrive no later than 5 AM.
- b. the NYC precinct desk officer shall dispatch a sector car at 5 AM to the Identification Section with all fingerprint forms and DD 19's received to that time;

- c. fingerprints prepared after 5 AM shall be immediately forwarded to the Identification Section by the desk officer of the precinct of record.

Authority and Responsibility - New York City Police

Pursuant to the authority granted the Police Commissioner by the Appellate Division of the Supreme Court, Superior Officers assigned to the Queens Pre-Arrestment Processing facility are hereby authorized to administer all necessary oaths in connection with the execution of complaints to be filed in the Criminal Court of the City of New York.

APPENDIX DNOTIFICATION SYSTEM - MANHATTAN CRIMINAL COURT

The Manhattan Criminal Court has recently established a notification system whereby a message is transmitted over all precinct teletypes advising when the night court calendar is full and no more cases will be accepted.

This determination is made each night depending on the case load.

In order to have our arrest procedure conform to this new system, effective immediately, the following procedure will be used:

1. In any arrest made after 5:00 PM the officer will complete his normal paper work.
2. The desk officer will call the Complaint Room (374-3916) to determine if any more cases are being accepted in court.
3. If cases are being accepted, he will proceed with the processing of the arrest as in the past.
4. If the courts have advised, via Teletype, that no more cases will be accepted, the officer will book and lodge his prisoner at the precinct.
5. He will then proceed to court, turn in his prints and have the affidavit drawn. He will not wait for the prints to be processed, but will return to the facility.
6. When he returns to court in the AM, he will pick up his fingerprint cards and the print record, and proceed with the case.

In cases where the officer is not able to get to court and have the affidavit drawn by 11 PM, he will lodge his prisoner at the Precinct and return to the facility. The affidavit will be drawn in the morning.

APPENDIX " E "
 PORT AUTHORITY POLICE
 COURT AVAILABILITY CALENDAR

Police Officer	Shield	Facility
Defendant (s)	Docket #	
Date of Arraignment	Court	

Circle those dates you are NOT available for court due to R.D.O.& Vac. (g) Complete calendar for at least 60 days after the date of arraignment

J A N	F E B	M A R C H	A P R I L	M A J	J U N E	J U L Y	A U G	S E P T	O C T	N O V	D E C
1	1	1	1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4	4	4	4	4
5	5	5	5	5	5	5	5	5	5	5	5
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29	29	29	29	29	29	29	29	29	29	29	29
30		30	30	30	30	30	30	30	30	30	30
31		31		31		31	31		31		31

APPENDIX FDISMISSAL OF CHARGES BY DISTRICT ATTORNEYS IN NEW YORK CITYA. Amendment to Rules of Criminal Court

The Appellate Division of the Supreme Court, First and Second Departments, have amended Section 2950.4 of the Rules of the Criminal Court, to read as follows:

Whenever an Assistant District Attorney on duty in a complaint room in the Criminal Court of the City of New York shall deem that the facts as related to - him do not constitute an offense as a matter of law he shall, any time prior to arraignment, direct that the defendant, if he is in custody, be released. The complainant shall be advised of the foregoing, and of his right to appear before a judge if he so desires, in which event there shall be no disposition until the complainant and the defendant appear before the judge.

B. Preparation of a "Throw Out Affidavit"

In accordance with this rule, Assistant District Attorneys assigned to the various complaint rooms, will, if they determine that the facts related by a complainant do not constitute an offense as a matter of law, inform the arresting officer that a court form 343 "Throw Out Affidavit" is being prepared on the case and that the defendant shall be released. Arresting officers so informed shall request that the A.D.A. furnish them with a signed copy of form 343 and shall make a complete memo book entry of the facts.

C. Appearance before Judge

If there is a civilian complainant in the case who informs the A.D.A. that he desires to appear before the judge, the arresting officer shall comply with the instructions of the A.D.A. and court personnel. If the arresting officer is the complainant and he believes that the case should be brought before the judge, he shall confer with the New York City Police Department superior officer assigned to the court building. If the N.Y.C.P.D. superior officer concurs, he shall request of the A.D.A. that the case be presented to the judge and shall then comply with the instructions of the A.D.A. and court personnel.

D. Release of Prisoner

When an arresting or assigned officer is instructed by an A.D.A. to release a defendant and is provided with a copy of court form 343, he shall immediately proceed to the court detention pens and secure the release of the defendant(s). However, if the arrest was for an offense which required fingerprinting, and the arresting officer has not ascertained whether or not the prisoner is wanted, he will so advise the A.D.A. and request that court form 343, not be issued by the A.D.A. until this information has been received. The arresting officer will then immediately notify the N.Y.C.P.D. superior officer assigned to the court that the prisoner may be released by the A.D.A.

The N.Y.C.P.D. superior officer assigned to the court building shall telephone the Identification Section, inform the desk officer thereof that the defendant may be ordered released and request expeditious processing of the defendant's fingerprints. As soon as the determination is made that the defendant is not wanted, the A.D.A. shall be so notified and upon issuance of Court Form 343, the prisoner shall be released. If the A.D.A. declines to await receipt of the D.D. 24 and issues the 343, the prisoner must be released immediately.

E. New York City Records

Unless photographs of the defendant were taken prior to the District Attorney's decision to release the prisoner, the prisoner shall not be photographed. To permit the N.Y.C.P.D. Identification Section to complete their records on this case, the N.Y.C.P.D. superior officer at the photo section studio concerned shall write across the upper margin of form D.D. 19, one of the following:

1. If the prisoner was not photographed: NOT PHOTOGRAPHED - DISCHARGED BY DIRECTION OF A.D.A. (insert name of A.D.A.)
2. If the prisoner was photographed: PHOTOGRAPHED - DISCHARGED BY DIRECTION OF A.D.A. (insert name of A.D.A.)

The defendant's NYSIS number shall be inscribed on the D.D. 19, which shall then be processed in the normal manner. The D.D. 24 shall then be destroyed by the N.Y.C.P.D. superior officer at the photo section studio.

F. Recording of Information

The arresting or assigned officer shall complete the entries required on the N.Y.C.P.D. Arrest Disposition Card, entering the disposition as DISCHARGED BY DIRECTION OF A.D.A. (enter name of A.D.A.) He shall then deliver the N.Y.C.P.D. Arrest Disposition Card together with the copy of Court Form 343 to the facility commanding officer where the arrest was made. The Arrest Disposition Card shall be processed in the normal manner. The copy of Court Form 343 shall be reviewed by that commanding officer concerned who shall signify his inspection of the report by signing it on the reverse side prior to being filed with the arrest report and CCR at the facility.

A follow-up CCR shall be submitted advising of the disposition of the case in accordance with PDI 4-10, attaching a xerox copy of the Court Form 343 "Throw Out Affidavit".

G. G. Staff Review

Deputy Inspector of Operations shall review such incidents with the Commanding Officers to assure that police procedures and legal requirements are being met in order to minimize such incidents. Accordingly, the Crime Analysis Unit shall bring such follow-up reports to the attention of the Deputy Inspector - Operations.



POLICE OPERATIONS MANUAL

NEW YORK CITY UNIVERSAL SUMMONS

PURPOSE:

The purpose of this instruction is to outline the procedures for requisitioning, dispensing, processing and controlling N.Y.C. Universal Summonses.

POLICY:

It is the policy of the Port Authority Police to properly safeguard and administer the use of New York City Universal Summonses in its control.

DESCRIPTION:

The N.Y.C. Universal Summons consists of four parts:

Part 1. Complaint Copy (white) - forward to proper adjudicating agency.

Part 2. Defendant's Copy (yellow) - for cases returnable to the Traffic Violations Bureau.

Part 3. Defendant's Copy (pink) - for cases returnable to Criminal Court.

Part 4. Defendant's Copy (hard buff) - for cases returnable to the Parking Violations Bureau.

Requisitioning

- The Police Headquarters Equipment Sergeant will telephone the Parking Violations Bureau's Summons Contract Manager on a Monday or Tuesday of the week that the summonses will be picked up. Police personnel picking up Universal Summonses will submit a PVB form (No. 020-10M) to the person responsible for distributing summonses. The officer will retain one copy of the form and submit same to the Equipment Sergeant for file.

- Upon delivery of the forms to Police Headquarters, the Headquarters' Equipment

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Sergeant records the serial numbers in the Summons Record Log and places the ticket forms in stock for issue to the facilities as required.

- Periodically, each facility Police Commanding Officer, having estimated the number of summonses to be served at his/her facility during the ensuing six months, will forward a memorandum of requisition to the Chief Inspector.

Distribution

- The summons courier will deliver the N.Y.C. Universal Summons forms to the facility Police Desk.
- The Desk Officer will make a blotter entry to the effect that he/ she received a package of summonses from the summons courier.
- The package will be delivered to the Commanding Officer where the numbers will be checked against those noted on the receipt, which accompanies the package.
- The receipt is signed by the Commanding Officer and returned to the Police Headquarters Equipment Sergeant.

Facility Control

- As Universal Summonses are received, they will be recorded in numerical sequence in the Summons Log, Form PA1768 Discrepancies, if any, must be immediately brought to the attention of the facility Police Commanding Officer.
- Universal Summonses are issued to police personnel upon verbal request. At the time of receipt, the requesting officer signs them in the space provided in the Summonses Log.
- Universal Summonses that are issued and remain outstanding for a period designated by Commanding Officers, are recalled and reissued to police officers normally requiring large quantities of summonses.
- The quantity issued to each individual is determined by the Police Commanding Officer. However, the minimum issue of summonses will be 3 per facility assigned officer. Central Police Pool officers will be issued summonses on an as needed basis by the facility of assignment.
- The date on which a Universal Summons is served will be recorded in the Summonses Log, Form PA1768, which is maintained on a current basis.

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PROCESSING OF SERVED SUMMONSES

Distribution

- The complaint copy will be forwarded to the proper adjudicating agency.
- The remaining copies will be forwarded to the facility Commanding Officer for filing.

ACCOUNTING FOR UNIVERSAL SUMMONSES

- Upon receipt of the facility copies by the Police Commanding Officer, the date served is entered against that summonses in the Summons Log Form PA1768. The agency copies are then filed numerically by facility serial number.

ROUTING OF ADJUDICATING AGENCY COPIES - COMPLAINTS

Responsibility of Desk Officers

- The Desk Officer on the 2300 hrs - 0700 hrs tour, at the completion of each calendar day, will route the complaint copies of Universal Summonses, legally served, via the summons courier as follows:
- Parking Violations - all complaint copies will be inserted in a yellow (Form PA 1606) envelope (not to exceed 100 in each envelope) whereupon it will be sealed in the prescribed manner and forwarded to the Parking Violations Bureau.
- Moving (Vehicle) Violations - all complaint copies will be inserted in a blue (Form PA 3005A) envelope (not to exceed 100 Jr. each envelope) whereupon it will be sealed in the prescribed manner and forwarded to the New York State Department of Motor Vehicles, Traffic Violations Bureau.
- Violations Returnable to Criminal Court - all complaint copies will be inserted in a white (Form PA3005) envelope (not to exceed 100 in each envelope) whereupon it will be sealed in the prescribed manner and forwarded to the proper Criminal Court.

COLLECTION OF UNIVERSAL SUMMONSES (COMPLAINTS)

Procedure

The following procedure applies to the collection of Universal Summonses (complaints) from the various facilities, Monday through Friday, inclusive. No collections are made on Saturdays,

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Sundays, holidays, or when otherwise specified.

POLICE HEADQUARTERS WILL NOTIFY FACILITIES OF ANY SCHEDULE CHANGES RECEIVED FROM THE ORDERS UNIT OF THE NEW YORK CITY POLICE DEPARTMENT.

- The courier stops at all facilities in an unmarked police car. At those facilities having Universal Summonses, he/she acknowledges receipt (by entry in the police blotter) of envelopes previously prepared by Desk Officers. The envelopes are placed in the dispatch case immediately upon collection. Where applicable, the courier will also distribute any new supply of Universal Summonses at this time.
- Upon returning to the Central Police Desk, the courier prepares the "Summons Envelope Receipt," Form PA 3031, in duplicate listing the total number of tickets, envelopes and the originating facility, for all the summonses collected.

UNIVERSAL SUMMONSES - DELIVERY TO ADJUDICATING AGENCIES

- The courier delivers the dispatch case to the proper adjudicating agencies beginning at 0900 hrs following the collection of Universal Summonses. A representative of each agency will ascertain the number of envelopes and sign the "Summons Envelope Receipt," Form PA3031. The original of the receipt is given to the representative and the duplicate returned to Police Headquarters for filing.

VOIDANCE PROCEDURE

- In no case will a Universal Summons, properly prepared and legally served, be retrieved. The summons must be sent through the proper channels for processing, and should not be voided.
- Completion of any part of the summons prior to the time of actual issuance is prohibited by this instruction.
- Universal Summonses that have not yet been processed through an adjudicating agency, may only be voided when:
 - An issuer has made a mistake while writing out the summons (e.g., copied the plate number incorrectly).
 - An issuer has made a factual error (e.g., misread sign).

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- All required summons information could not be obtained (e.g., vehicle drove away before all identification information was noted).
 - Summonses contain manufacturing (printing) errors, which are discovered prior to issuance.
 - Summonses are damaged prior to issuance (e.g., water damage).
 - Summonses are outdated (old revision) and have not been issued.
- Enforcement officials have no authority to make changes in complaints. If an officer notices that he/she has made an error in preparing the Universal Summons, he/she will not cross out or erase any information nor serve same, but will make a new correct Universal Summons and serve same.
 - The Tour Commander will be promptly notified. He/she will interview the officer concerned and submit a report to the Facility Commanding officer outlining the facts and circumstances relative to the incident. The Tour Commander will also instruct the issuing officer to prepare a handwritten memorandum to the Commanding Officer, attaching all four (4) copies of the summons thereto.
 - The complaint copy of the Universal Summons containing the error will be marked VOID across its face.
 - The Police Commanding Officer will investigate the circumstances surrounding the request to void a Universal Summons and will forward the following items to the Chief Inspector, Field Uniformed Services:
 - a. a report of his/her investigation and recommendation;
 - b. a completed N.Y.C. Parking Violations Bureau agency report of voided Universal Summonses; and
 - c. all four (4) parts of the N.Y.C. Universal Summons.
 - If the summons fits the applicable criteria for voidance, the Superintendent of Police will direct the Headquarters' Equipment Sergeant to initiate the voidance process.
 - The Equipment Sergeant will prepare and submit an "Agency Report of Voided Summonses", which he/she must forward to the Parking Violations Bureau with all four (4) parts of the NYC Universal Summons.

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- The Parking Violations Bureau has full responsibility over the processing of all Universal Summonses to be voided, including those from the Traffic Violations Bureau and the Criminal Court.

Lost New York City Universal Summonses

- A member of the force who loses a N.Y.C. Universal Summons in his/her possession will immediately submit a handwritten report containing all the circumstances to the facility Commanding Officer.
- The Police Commanding Officer, after investigation of the facts and circumstances, will forward a report of his/her investigation and recommendations to the Chief Inspector, Field Uniformed Services, along with a copy of the officer's statement.

Summons Los Entries and Correspondence

- The word "voided" will be entered in the summons log, Form PA 1768, under the column Date Served (and in the police blotter when necessary) to account for all mutilated, improperly prepared and lost Universal Summonses.
- Approval will be sought from the Chief Inspector, Field Uniformed Services on all correspondence to the Directory Counsel, Parking Violations Bureau; relating to nullification of: mutilated, improperly prepared and lost Universal Summonses.

DEFECTIVE PARKING METER

- When an Officer is informed by a motorist that a meter is defective:
 - The Officer may allow the motorist to remain at the parking space for the maximum time allowed for that meter.
 - The Officer will place a printed sticker (PA Form 2701) over the meter coin slot to alert the public that the meter is out of service.
 - The Officer will notify the Facility Police Desk, where an entry will be made in the Parking Meter log, indicating the meter number, time, and the fact that the meter was placed out of service.
- The Desk Officer will check the meter logbook at the end of the third shift for any entries made that day. If defective meters were recorded, a copy of the logbook page will be forwarded to the Facility Manager's office, where arrangements will be made repair.

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- When a motorist reports that he/she received a summons while parked at a defective meter:
 - The officer will advise the motorist to follow the instructions on the rear portion of the summons and to complete the "Plea Form" on same.
 - The Parking Violations Bureau will correspond with the facility concerned to obtain verification of an alleged defective meter.
 - The Police Commanding Officer, or his/her designee will reply to the Parking Violations Bureau in writing to confirm or deny the motorist's defective meter claim.
- It is imperative that the facilities keep accurate records of out-of service meters, since there is usually a time lapse between issuance and the correspondence received relative to the incident.

OFFICIAL BUSINESS DEFENSE SUMMONSES

- Parking summonses inadvertently issued to official vehicles which may qualify for an Official Business Verifiable Defense, will be forwarded by the operator (along with a handwritten explanation by the employee's unit head) to the Port Authority Police Court Scheduler and Courier, Police Headquarters. The Court Scheduler and Courier, after presenting the summons to the Parking Violations Bureau Administrative Law Judge, will inform the operator of the final disposition.

COURT RETURNABLE DATES

- Police personnel will not indicate a returnable date on Parking Violations Bureau Summonses.
- Police personnel will not indicate a returnable date on Traffic Violations Bureau Summonses.
- Universal Summonses returnable to Criminal Court will be given a returnable date 35-40 days from date of issuance. A commander may opt to assign a returnable date, if this is the case, that date will be used.
- If an officer's appearance is required by the Parking Violations Bureau, Traffic Violations Bureau, or Criminal Court, he/she will be notified by the Command.

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- Commanding Officers will ensure that all notices to appear in court are promptly forwarded to the officers concerned. A copy of the notice will be maintained in a facility file for a 12-month period.
- A Criminal Court returnable date will not be made on an RDO Saturday, Sunday, holiday, vacation or pre-scheduled training period.
- The Criminal Court's location will be noted on the summons by the issuing officer (e.g., 346 Broadway, Summons Part SP1, New York County).

By order of:



Acting Superintendent of Police
Public Safety Department

POLICE PATROL GUIDE
COMPLAINTS

I. INTRODUCTION

Complaints relating to individual members of the force or to facility operations are matters of serious concern and require immediate investigation. In justice to all concerned, it is essential that these complaints be processed in a courteous and objective manner.

II. POLICY

Complaints will be promptly processed. . Final response to, or acknowledgement of the receipt of a civilian complaint, must be accomplished within five business days of receipt by the action unit.

III. DEFINITION - ACTION UNIT

The action unit is the unit, which is responsible for the investigation of the complaint, preparation of the necessary reports and final reply to the complaint.

IV. CLASSIFICATION

Complaints fall into one of three following groups:

- A. Group A - Complaints related to conduct that reflects on police personnel as individuals.
- B. Group B - Complaints involving police personnel relating to operational policies or procedures at a facility.
- C. Group C - Complaints not involving police personnel relating to operations at a facility.

V. RESPONSIBILITY

A. Group A

A complaint related to conduct that reflects on police personnel as individuals is the responsibility of the Police Division. For the purpose of this instruction, all field units are considered part of the Police Division, thus a complaint classified in Group A, received at a police field unit, shall be considered as received by the action unit (see Paragraph VIII).

B. Group B

Complaints involving police personnel relating to operational policies or procedures at a facility are the responsibility of the line department. They are normally processed by the facility Commanding Officer under the direction of the facility manager (see Paragraph IX).

C. Group C

Complaints not involving police personnel relating to operation at a facility are the

responsibility of the line departments (see paragraph X)

NOTE: ALL GROUP A AND B COMPLAINTS, REGARDLESS OF THE MANNER RECEIVED (VERBAL, TELEPHONE OR LETTER) WILL BE DOCUMENTED AND NUMBERED BY THE RECEIVING UNIT. (EXAMPLE - B.T. 2-75)

VI. TRANSMITTAL - LETTERS OF COMPLAINT

When transmitting a letter of complaint, which is received by other than the action unit, the unit, which is forwarding the complaint to the action unit, will indicate whether or not an interim letter of acknowledgement with a request to complete an enclosed form, P.A. 3061, Civilian Incident Report, has been sent to the complainant.

VII. CIVILIAN INCIDENT REPORT - FORM P.A. 3061A (FOUR PART FORM)

(For a sample of the form. see Appendix A)

A. The Civilian Incident Report, Form P.A.3061A will be completed by hand whenever possible, by those persons submitting a complaint in classification Group A. Group I and Group C complaints are discussed in Paragraphs IX and X.

B. Distribution - P.A. 3061A

- | | |
|------------------------------|----------------------------|
| 1. Police Commanding Officer | - White + Original PA 3061 |
| 2. Superintendent of Police | - Pink |
| 3. Facility Manager | - Yellow |
| 4. Complainant's Copy | - Green |
| 5. Patron Relations | - Copy |

VIII. PROCEDURES - GROUP A

The Police Division, as defined in Paragraph V-A, is the action unit responsible for all civilian complaints in Group A.

A. Receipt by Police Units - Oral Complaints

1. Where practical, when a complaint is made in person, it will be referred to a Superior Officer. The complainant will be assured that the matter will be investigated. In circumstances where the complainant or other interested parties are immediately available, the Superior Officer will record and transmit all facts pertaining to the complaint to the Deputy Insp. of Operations. He will also instruct the complainant to complete Form P.A. 3061. Upon request, the complainant may have such Superior Officer's assistance in preparing the form as may be necessary. If the complainant is given assistance, he, or the person assisting, shall include under "Details of Complaint" a brief statement why such assistance was given.

2. The representative of a complainant, any person assisting, and the complainant shall sign the form. If the complainant refuses to fill out Form 3061 or to sign completed Form 3061, the Superior Officer accepting the complaint shall so state in his report.
3. A complaint received by telephone shall be reduced to writing, in memorandum form, and the P.A. 3061A shall be transmitted to the Deputy Insp. of Operations as soon as possible. Prior to dispatching of the memorandum, the Deputy Inspector of Operations will be notified of the incident by telephone. The complaint would then be processed according to the provisions of Paragraph VIII-C.

B. Receipt by Units Other Than Police

Reports of incidents classified in Group A, which are received directly by units other than police, should be forwarded to the D.I. of Operations without delay. These communications will be time and date stamped when received in the office of the Superintendent of Police and processed in accordance with Paragraph VII-B.

C. Written Receipt by Facility Police Units

1. Upon receipt of a written complaint, a facility Commanding Officer will time and date stamp the letter, and immediately notify the Deputy Inspector of Operations by telephone
2. The D.I. of Operations will direct the facility Commanding Officer or member of the Police Division staff to investigate the incident.
3. The facility Commanding Officer will forward the original letter to the D.I. of Operations with copies to the appropriate General Manager and Facility Manager, without delay.
4. In those cases where the complainant is personally contacted by the investigating officer he will be advised to complete and return P.A. 3061 in the enclosed self addressed envelope. When returned the signed original P.A. 3061 will be mechanically copied and affixed to the typewritten copies of 3061A. Processing will be in accordance with Paragraph VII.
5. If the receipt of the complaint cannot be acknowledged by personal contact, within five business days, the investigating officer will so advise the D.I. of Operations by telephone. The D.I. of Operations will prepare an interim letter of acknowledgement, which will advise that the complaint has been received and is being investigated. The complainant will also be requested to complete an enclosed Form P.A. 3061. A copy of the interim letter will be forwarded to the appropriate General Manager and Facility Manager.

D. Receipt by Police Division

When a written complaint is received at the office of the Superintendent of Police, the procedure will be as follows:

1. The complaint will be time and date stamped and immediately brought to the attention of the Deputy Inspector of Operations.
2. The D.I. of Operations will assign the investigation either to a Facility Commanding Officer or to a member of the Police Division staff.
3. In those cases where the investigating officer personally contacts the complainant he will be advised to complete and return P.A. 3061 in the enclosed self-addressed envelope. When returned the signed original P.A. 3061 will be mechanically copied and affixed to the typewritten copies 3061A. Processing will be in accordance with Paragraph VII.
4. If the complainant cannot be contacted within five business days of receipt of the complaint, the D.I. of Operations will dispatch an interim letter of acknowledgement, which will request the completion of Form P.A. 3061 enclosed therein. Copies of the complaint and the interim letter will be forwarded to the appropriate General Manager and Facility Manager.
5. If the investigation is assigned to a Facility Commanding Officer, he will be notified by telephone of the nature of the complaint and will receive a copy of the letter of complaint and the interim letter of acknowledgement without delay.

E. Clearance

1. Upon completion of an investigation, the responsible person will submit to the D.I. of Operations a final memorandum, in duplicate, containing his findings and recommendations. If the D.I. of Operations concurs in the findings and recommendations he will so advise the General Manager and Facility Manager concerned. When appropriate, the investigating officer will recommend disciplinary proceedings.
2. In incidents, which do not require disciplinary proceedings, the duplicate of the final memorandum, bearing the approval of the D.I. of Operations will be forwarded to the Facility Commanding Officer, a copy of which will be provided to the subject officer by the Facility Commanding Officer.
3. Since the investigating officer is usually in personal contact with the complainant, a written final reply is seldom necessary. If a final written reply is required, it will be prepared by the investigating officer for the signature of the Superintendent of Police and will be cleared by the Public Affairs Department, prior to dispatch to the complainant.

IX. GROUP B

- A. When a facility Commanding Officer receives a complaint classified in Group B, he will make prompt telephone notification to the Deputy Inspector of Operations.
- B. Group B, in person complaints, P.A. 3061 need not be signed by the complainant, nor mailed out for signature when a letter of acknowledgment is required.

- C. The facility Commanding Officer will prepare P.A. 3061A to include the typed signature of the complainant transmitted with the covering memorandum to the Deputy Inspector of Operations.

X. GROUP C COMPLAINTS RECEIVED ANY MANNER

- A. Complaints classified in Group C, however received, will be processed in accordance with line department procedures. P.A. 3061 need not be signed or mailed to the complainant. The facts relating to the complaint will be included into a P.A. 3061A-end processed with a memorandum of transmittal to the appropriate line department.
- B. Aircraft noise complaints received by the Central Police Desk Sergeant will be recorded in the message register. The Sergeant on duty will promptly relay the information to the Operations Unit of the airport involved for recording and processing.

XI. REFUSAL TO IDENTIFY, PREPARE, SIGN OR RETURN P.A. 3061

- A. In those cases where a complainant refuses to identify himself or declines to prepare, sign or return P.A. 3061, the facts will be accurately reported by memorandum. Appropriate comments will then be recorded on P.A. 3061A by the Commanding Officer and transmitted with the covering memorandum to the Deputy Inspector of Operations.
- B. Processing of Group A, B and C complaint classifications are in no way affected by the complainant's refusal to identify himself, sign or return P.A. 3061.

XII. CONTROL NUMBER

- A. The facility Commanding Officer will maintain a chronological file to conform with the Master Subject File Index - A - Public Relations Complaints.
- B. Individual control numbers shall be assigned each of the complaint classifications.
- C. More importantly, Commanding Officers will have a ready source of information on which to gauge facility operational standards and project police training needs.

XIII. CONDUCT OF INVESTIGATING OFFICERS

The investigating officer shall adhere to P.D.I. 3-5 Disciplinary Investigations while conducting an investigation of a complaint that has been lodged against a member of the Police Division. The rights of the officer will be explained to him and a copy of P.D.I. 3-5 will be available for the officer's inspection

PA 3061 / 2-02

THE PORT AUTHORITY OF NY & NJ
Police Division
CIVILIAN INCIDENT REPORT

*Group A
 B
 C

Instructions for complainant: Prepare this report in your own handwriting. You will receive a copy as your receipt. An investigating officer will communicate with you relative to the investigation of your report.

Complainant's Surname		First	M.I.	Address		Phone Number
Business or Alternate Address					Alternate Phone Number	
Representative/Interpreter/Person Assisting						Phone Number
Name of Police Officer Complained of: (If unknown, describe)					Shield No.	Command
Date of Occurrence		Time of Occurrence	Location of Occurrence			
Name of Witness			Address		Phone Number	
1.						
2.						
3.						
Details of Complaint (Use reverse side of form if more space is required)						
_____ Signature		_____ Date		_____ Signature of Person Assisting		_____ Date
FOR POLICE USE ONLY			Signature & Rank of Person Receiving Complaint			
Date Reported	Time Reported	Facility/Location Where Received			Facility Control Number	
Indicate any additional forms prepared or entries made with dates (e.g. CCR, Aided, Message Register)						

* Complaint classification (see PDI 1 – 14 complaints)

I. INTRODUCTION

This instruction outlines the procedure for requisitioning, dispensing, processing and controlling Taxi and Limousine Hack complaints issued by the Port Authority Police. The Port Authority Police Taxi and Limousine complaint consists of four parts. Each complaint has a preprinted individual complaint number.

II. HACK COMPLAINT.- PA 2297

Part I Hearing. Office Copy (White)

Part II Facility Copy (Pink) - Retained at facility of issue

Part III Complainants Copy (Yellow)

Part IV Violators Copy (Buff) - Issued to violator at time of service or mailed if impractical to serve at time of violation.

III. REQUISITIONING

Hack Complaints (Appendix A) are requisitioned by the Police Division Equipment Sergeant through the PA Forms Control Unit of the Management Services Division. The amount requisitioned is to be for a six-month supply.

A. Initial Processing

1. Upon receipt of the Hack Complaint forms from the vendor, the Police Division Equipment sergeant records the complaint numbers in the complaint record log and places the complaint forms in stock for issue to the facilities as required.
2. Periodically, each facility Police Commanding Officer, after estimating the number of complaints to be served at his facility during the ensuing six months, will forward a memorandum of requisition to the Superintendent of Police.

B. Distribution

1. The summons courier delivers the Hack Complaint forms to the facility police desk and/or communications desk (T.B. & T).
2. The desk officer or other designated personnel makes a blotter entry to indicate that the package of Hack Complaint forms have been received from the summons courier.
3. The package is to be delivered to the facility Police Commanding Officer where the Hack Complaint numbers are to be checked against those noted on the receipt, which accompanies the package.
4. The receipt is signed by the facility Police Commanding Officer and returned to Police Division Equipment Sergeant.

C. Facility Control

1. When Hack Complaints are received they are to be recorded in numerical sequence in a complaint log. (Summons Log PA form 1768 can be used for this recording). Discrepancies, if any, are immediately brought to the attention of the facility Police Commanding Officer.
2. Hack Complaints are then issued to police personnel upon verbal request. At the time of receipt, the requesting officer signs for them in a space provided in the complaint log.
3. Hack Complaints issued and remaining outstanding for an excessive period of time are to be recalled and re-issued to police officers normally requiring large quantities of Hack Complaints.
4. The quantity of Hack Complaints issued to individual police officers is determined by the facility Police Commanding Officer. C.P.P. officers will be assigned Hack Complaints on a need basis by the facility of assignment.
5. The date the Hack Complaint is served upon a violator is obtained from the Part II copy and recorded in the complaint log, which is maintained on a current basis.

IV. PROCESSING OF SERVED HACK COMPLAINTS

A. Initial Procedure

1. As soon as practical, the officer issuing a Hack Complaint notifies the facility police desk, and/or communication desk (T.B. & T) with the following information: name of issuing police officer, Hack Complaint serial number, and time of service.
2. This information, along with the facility control number-r, which is posted in the margin of the blotter, constitutes the complete blotter entry. The facility control number is preceded by the facility prefix letters for each facility.
3. The facility control number for the Hack Complaint is to be affixed to the upper right corner of the Hack Complaint with the appropriate prefix letters for the issuing facility.

B. Distribution After Issuance

1. Complaint Copy (Original Copy) Part 1-White-Hearing Office Copy - Part I is delivered to the Hearing Office no later than the next business day following the dated served (See VI for delivery procedure).
2. Facility Copy - Part II Pink
This copy is to be detached from the complaint by the police desk and/or communication desk (T.B. & T) and grouped together with all facility copies of the Hack Complaints issued at the end of each calendar day and forwarded to the facility Police Commanding Officer. (See V -Facility Accounting for Served Complaints).

3. Complainants Copy Part III Yellow

- a. If a civilian is the complainant and the civilian is willing to appear at a hearing, the civilian will be provided with this copy and informed of the location of the hearing office. (If the complainant so requests, the hearing may be held at the Taxi & Limousine Commission Offices at 221 west 41 Street New York City for complaints issued at Kennedy and LaGuardia Airports).
- b. If a taxi dispatcher is the complainant the taxi dispatcher will be provided this copy of the complaint through his dispatcher supervisor's office.
- c. If the Port Authority police officer is the complainant this copy will be detached and retained by the police officer.
- d. The Taxi Limousine Commission Offices at 221 west 41 Street, New York City schedules hearing dates for all Hack Complaints issued in the borough of Manhattan and will notify the Central Police Desk when the police officer must appear.
* (Note: Hearing appearance date is not to be filled in on the Hack Complaint issued in Manhattan).

4. Violator Copy IV- Buff

- a. If the violator is present at the time the Hack Complaint is issued, this copy is served to the violator. The violator is to be informed of the violation he is charged with and the time, date and location of the scheduled hearing for violations at Kennedy and LaGuardia Airports.
- b. If the violator is not present when the Hack Complaint is issued, the violator copy will NOT be detached, and all copies of the Hack Complaint will be submitted to the police desk at Kennedy and LaGuardia only. This copy is to be forwarded to the Hearing Office Building 197, for delivery via U.S. Mail, return receipt requested, to the violator.
- c. At all other facilities, the violator's copy is to be delivered via U.S. Mail, return receipt requested, to the violator.
- d. The return receipt must be presented at the hearing as evidence of acceptance of the Hack Complaint by the violator.

V. FACILITY ACCOUNTING FOR SERVED HACK COMPLAINTS

- A. Upon receipt of (part II) the facility copy, the facility Police Commanding Officer causes the date served to be entered against that complaint in the Hack Complaint Log. These copies are then filed numerically by the facility control number. (The same control number used for blotter entry). Facility retention for part II of the Hack Complaint is two years.

VI. COLLECTION OF HACK COMPLAINTS - PART I AND PART IIProcedure

The following procedure applies to the collection of Hack Complaints from the various facilities Monday through Friday, inclusive, excluding holidays or when otherwise specified.

- A. The Police Division Summons Courier stops at all facilities and collects all copies that have not been detached from the Hack Complaints. All Parts will be packaged together in a 74" by 104" buff color envelope (PA 119). Each envelope is clearly identified as containing a specified number of Hack Complaints on the outside front portion of the envelope. The number of copies contained in the envelope and dates served are also to be noted on the envelope. The 11x7 desk officer and/or assigned personnel shall ascertain this information, and verify same with his signature after sealing the closing flap.

*(Note: Hack Complaints which necessitate the confiscation of Hack Licenses and/or New York City Medallion Rate Cards - will have the confiscated credentials attached to Part One of the completed Hack Complaint and will also be placed in the envelopes to be delivered to the Hearing Office at JFKIA, Bldg. 197, or 221 West 41 St. New York City.
- B. At those facilities having Hack Complaints, the Summons Courier acknowledges receipt (by entry in the police blotter) of the previously prepared envelopes by the desk officer. Where applicable, the courier also delivers any new supply of Hack Complaints requested pursuant to III, B 2 above.
- C. Upon arrival at JFKIA, the couriers last stop; all envelopes addressed to the JFKIA Hearing Office, Bldg. 197 are deposited with the JFKIA desk officer. These complaint envelopes are then delivered in the AM along with JFKIA complaints to Bldg. 197.
- D. Upon return at Police Division, the Summons Courier will deposit all envelopes addressed to the 221 West 41 St address. These envelopes will be delivered in the morning to the 221 West 4.1 St". address.
- E. At Newark International Airport, all Part I copies of the Hack Complaint will be forwarded to the License Division, City Hall, Newark, N.J. for complaints issued in Newark and will also forward Hack Complaints issued in Elizabeth, N.J. to the License Division at City Hall. These complaints are be delivered by the facility.
- F. Copies of Hack Complaints for the taxi complaint section of Police Division are prepared by the issuing facility by means of copy machine using the Facility Copy (Part 2) to print one copy of each Hack Complaint. These copies, along with the copy of the Daily Hack Complaint Summary are forwarded to Police Division, Taxi Complaint Section, via Summons Courier in the following day's Summons Courier mail run.

VII. ISSUANCE OR RETRIEVAL OF HACK COMPLAINT

- A. Hack Complaint, which has been properly prepared and served, is not to be retrieved.
- B. Completion of any part of a Hack Complaint prior to the time of actual issuance is prohibited by this instruction.
- C. Nullification of Hack Complaint's which have not yet been processed or prepared.
 - 1. Mutilated or Unservable Hack Complaints
 - a. All four parts of the Hack Complaint, which are mutilated or otherwise rendered unusable, are to be forwarded to the facility Police Commanding Officer with a handwritten report of the circumstances from the officer having possession of it.
 - b. The facility Police Commanding Officer investigates the circumstances regarding any damage to the Hack Complaint.
 - 2. Improperly Prepared Hack Complaints
 - a. If a police officer notices he has made an error in preparing the Hack Complaint he shall not cross out or erase any information nor serve same, but make a new correct Hack Complaint which is then served.
 - b. The Tour Commander will be promptly notified. He shall interview the officer concerned after which he is to submit a report to the facility Police Commanding Officer outlining the facts and circumstances relative to the incident. He also instructs the officer involved to prepare a handwritten report to the Commanding Officer, attaching all copies of the Hack Complaint thereto.
 - c. The Part I copy of the Hack Complaint containing the error will be marked "VOID" across its face.
 - d. All four (4) voided copies of the Hack Complaint containing the error are forwarded to the facility Police Commanding Officer without delay. Attached thereto will be those reports submitted as specified in item 2b above.
 - e. The facility Police Commanding Officer forwards a report of his investigation and recommendations along with the complaint (white) and the hard (buff) copy of the Hack Complaint together with copies of any other reports submitted, to the Superintendent of Police as soon as it is practical.
 - f. The remaining yellow and pink copies of the Hack Complaint are to be filed at the facility of occurrence.

3. Lost Hack Complaints

- a. A member of the force who loses a Hack Complaint immediately notifies the Tour Commander and submits a handwritten report containing all the circumstances to the facility Police Commanding Officer of occurrence b.
- b. After investigating the matter the facility Police Commanding Officer forwards a report of his investigation with recommendation to the Superintendent of Police, along with a copy of the officer's handwritten report.

4. Complaint Log Entries

The word "Voided" will be entered in the Hack Complaint Log, under the column Date Served, to account for all mutilated, improperly prepared and lost Hack Complaints.

APPENDIX A

PRINT ALL ENTRIES - USE BALL POINT PEN - PRESS HARD
THE PORT AUTHORITY OF NY & NJ
PORT AUTHORITY POLICE
HACK COMPLAINT
N.Y.C. TAXI AND LIMOUSINE COMMISSION -VS-

NO. 013201 P

DRIVER'S NAME

DRIVER'S ADDRESS

CITY (AS SHORN ON LICENSE) STATE ZIP CODE

STATE DRIVER'S LICENSE NUMBER

Grid for license number: 20 boxes

TAXI LICENSE VEH YEAR MAKE

MODEL VEH REGISTRATION MEDALLION NO

COMPANY NAME

COMPANY ADDRESS

CITY STATE ZIP CODE

ON THE _____ DAY OF _____ 19 _____ AT _____ AM/PM

AT THE LOCATION OF _____ FACILITY _____

DID UNLAWFULLY VIOLATE TAXI RULES AND REGULATIONS)

BY COMMITTING THE FOLLOWING OFFENSE (S) _____

DATE OFFICERS SIGNATURE TAX REGISTRY NO.

OFFICER'S NAME (PRINTED) COMMAND

COMPLAINANTS SIGNATURE

COMPLAINANTS NAME (PRINTED)

COMPLAINANTS ADDRESS (PRINTED)

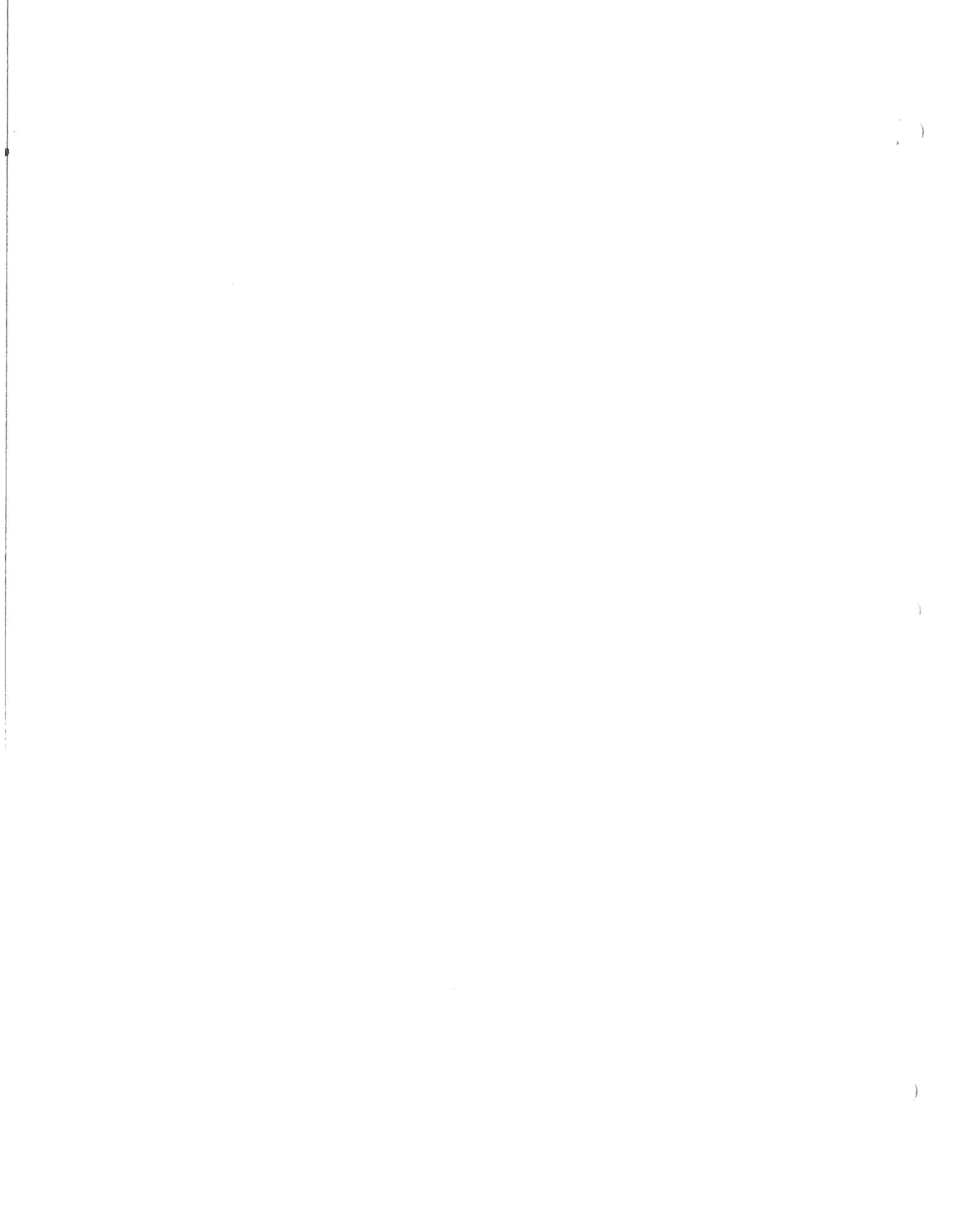
CITY STATE ZIP CODE

HEARING APPEARANCE _____ DAY OF _____ 20 _____

AT _____ AM/PM AT HEARING OFFICE

L J.F.K.AIRPORT. BUILDING 197. QUEENS. NEW YORK

L 221 West 41. Street, N.Y. New York





THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

GENERAL ORDER

*Replaces POI 8-1	All Members Of The Force	Date Issued: 2/25/13
Section:	Complaints	Date Revised:
Issuing Authority:	Michael A. Fedorko	Procedure No: 800-01
Subject:	CIVILIAN COMPLAINT REVIEW SYSTEM	Page(s): 1 of 8

Copy to: J. Dunne, T. Belfiore, J. Speziale, C. Dickey, J. Ryan, M. Gardner, A. Grampp, R. Hayes, S. Ortiz, PBA, DEA, SBA, LBA, and file

PURPOSE: The purpose of this instruction is to describe the system for processing civilian complaints filed against members of the Port Authority Police, the responsibilities of the Civilian Complaint Review Board (CCRB) and the Civilian Complaint Investigations Unit (CCIU).

POLICY: It is in the best interest of the Public Safety Department to establish a system which provides for a precise and expeditious means of responding to civilian complaints and to identify officers who exhibit a pattern or condition of conduct inconsistent with departmental values and standards, while at the same time provide protection for the members of the force against inappropriate or unfounded allegations.

All civilian complaints against members of the Port Authority Police will be investigated in an efficient, effective and objective manner and, where warranted, recommendations will be made for appropriate corrective action.

The Civilian Complaint Investigations Unit (CCIU) is established to centralize the receipt, documentation, and investigation of complaints and review findings and recommendations with the Civilian Complaint Review Board (CCRB). The CCIU will be situated in and report to the Office of Inspector General (OIG).

The Civilian Complaint Review Board is established to ensure objective review of complaint investigations and to make the recommendations to the Director of Public Safety with respect to the final disposition of civilian complaints.

CIVILIAN COMPLAINT REVIEW BOARD:

The function of the CCRB is to review investigations of civilian complaints against members of the Port Authority Police and to make recommendations to the Director of the Public Safety Department. The Board will consist of the following personnel:

Deputy or Assistant Director, Public Safety Department; two executive band staff representatives from the line departments; and two executive band representatives from Port Authority staff departments.

CCRB members shall be nominated by the OIG and the Director of Public Safety and appointed with the concurrence of the Executive Director and the Directors of the affected departments. The OIG and the Director of Public Safety shall also appoint the Chairman, with the concurrence of the Executive Director and Deputy Executive Director. Each of the four executive band members shall serve for a term of two years.

The CCRB will meet as needed at a designated time and place to review the status of all civilian complaints and make recommendations to the Director of Public Safety on the final disposition of completed investigations. The CCRB will be presented with appropriate material by the OIG/CCIU in advance, for each meeting, and after reviewing each case may reject the findings and/or recommendations, refer the case back to the CCIU for further investigation or approve the findings of investigation and forward them to the Director of Public Safety with the Board's recommendation for final disposition.

Only after the Director of Public Safety has made his/her final determination, will the CCRB send correspondence to the complainant; the member of the force; the Facility Commanding Officer; the Zone Commander; and Chief of Department informing them of the outcome of the investigation.

The CCRB can also submit recommendations to the Director of Public Safety for the general improvement of Police service levels as may be discernible from their review process.

CIVILIAN COMPLAINT INVESTIGATIONS UNIT:

The CCIU will only be responsible for investigating non-criminal civilian complaints against Port Authority Police personnel. If the complaint involves members of any other law enforcement agency, it will be promptly referred to that agency. Any complaints involving Port Authority civilian personnel will be investigated by the OIG's other investigative units.

The jurisdiction of the CCIU will encompass the following types of civilian complaints against Police personnel:

- Excessive Use of Force (unnecessary force)
- Abuse of Authority (unlawful search, threat of force, etc.)
- Discourtesy (profane, abusive and/or insulting language)
- Ethnic/bias Related (language or conduct which is derogatory of a person's race, sex, religion, creed, national origin, or sexual orientation)
- All Other Civilian Complaints that are non-criminal

The OIG/CCIU will be responsible for administering a centralized civilian complaint system as well as conducting all investigations of such complaints. Those complaints alleging corruption

or other criminal conduct will be referred to the OIG's Police Integrity Unit. Referral of complaints directly to the appropriate District Attorney or Prosecutor will be transmitted through the OIG.

OIG/CCIU will be responsible for presenting to the Board the findings and recommendations for all completed investigations. The OIG/CCIU, in conjunction with the Law Department, will also be responsible for the prosecution of all disciplinary charges that result from CCIU cases and maintaining a record of completed final action for all cases.

OIG/CCIU will be responsible for briefing Public Safety on complaint trends at all commands.

FILING OF COMPLAINTS:

Complaints may be made by an interested person or group, in person, by phone, by mail, or by email, at any Port Authority Police Command, the Central Police Desk or the CCIU.

All members of the Port Authority Police are responsible for accepting and documenting any complaint that is lodged against any member of the force, no matter how communicated. The member is then to immediately forward the complaint to the CCIU in the manner described below.

Complaints may also be filed through other law enforcement agencies or through the Law Department, that are then referred to CCIU.

CCIU Complaint forms may be obtained by telephone or emailing the CCIU or on the OIG's website.

In instances in which the complainant cannot file the civilian complaint in person, by phone, by mail, or by email, due to disability or other exceptional circumstances, CCIU personnel will visit the individual in order to complete the report.

Complaints will be accepted from anonymous sources, juveniles, and persons under arrest or in Police custody.

COMPLAINT INTAKE:

All civilian complainants will be accepted at all Port Authority Police Commands, regardless of where the alleged incident took place. The Tour Commander will be notified when a civilian complaint is filed in person. All members of the force shall ensure that they are professional and courteous when accepting civilian complaints from the public.

In Person – when a civilian complaint is being reported in person, the Tour Commander/designee or other recording officer will request the complainant to complete Civilian Complaint Form, CCRB-1. It is the responsibility of the recording officer to ensure complete written

documentation on the CCRB-1 form, or other report, of all pertinent facts and observations including, but not limited to:

- Name, address and telephone number of complainant.
- The time(s), date(s), and place(s) of the allegation(s).
- All relevant details of the allegation.
- Name, address and telephone number of any witness(es).
- The physical condition of the complainant or witness, including any visible marks, injuries, or the apparent influence of drugs or alcohol.
- Treatment provided for any injuries.
- If the complainant requests assistance in preparing CCRB-1, the recording officer will include a brief statement under "Details of Complaint" as to what assistance was provided and why the assistance was required.
- If the person filing a complaint refuses to complete the CCRB-1 or sign the form, the recording officer will document the refusal on the CCRB-1, "Details of Complaint," and forward the CCRB-1 for processing.
- When language interpretation is required and no interpreter is available, the 1-800 Language Telephone Service will be utilized on a number that is on the facility recording tape. The Tour Commander will prepare a handwritten report to the Facility Commanding Officer providing the names of the parties involved in the recorded conversation, including the identity of the interpreter, as well as the date, time, and number of the tape involved so that a recorded copy of the conversation can be made and forwarded to the CCIU as soon as possible. A copy of the handwritten report will be attached to the CCRB-1 form when sent forward for processing.
- The Facility Commanding Officer and the CCIU, through the Central Police Desk (CPD), will be notified if the civilian complaint involves allegations of serious misconduct or corruption or in any case, where the complainant required medical attention for a serious injury related to the alleged incident.

By mail – complete CCRB-1 based upon information in correspondence. Submit copy of correspondence along with CCRB-1 when forwarded for processing. Original correspondence shall be attached to original CCRB-1 when sent to CCIU.

By email – complete CCRB-1 based upon information in correspondence. Submit copy of correspondence along with CCRB-1 by email to CCIU. Forward the original correspondence and CCRB-1 to CCIU by mail.

By phone – document the telephone extension the complainant call was received on; complete CCRB-1 form; and if the call was received on the facility recorded telephone line. The Tour Commander will prepare and forward for processing, a handwritten report as previously indicated under language interpretation service.

By another law enforcement agency – all such complaints are to be faxed or emailed to CCIU.

By the Claims Division – all written notices of claim alleging specific complaints against Police personnel shall be reported to the CCIU. If no previous complaint has been received on the incident, a CCRB-1 form will be completed and processed as a complaint. Such complaints shall be given a priority and the investigation and recommendation completed within 60 days of receipt by the CCIU of the notice of claim.

COMPLAINT PROCESSING:

Police Commands

- After receiving a civilian complaint, Police Commands shall call the CPD for the assignment of a Civilian Complaint Control Number (CCC#) and record it on the CCRB-1.
- A copy of the completed CCRB-1 shall be given to the complainant when filed in person.
- The CCRB-1 and any related paperwork will be faxed or emailed directly to the CCIU.
- The original CCRB-1 and any related paperwork will be forwarded to the CCIU via the next available summons courier.
- Copies of the CCRB-1 and any related paperwork will be forwarded to the Facility Commanding Officer. The Facility Commanding Officer will be responsible for briefing the Facility Manager on all civilian complaints.

Central Police Desk

- Accepts civilian complaints.
- Assigns Civilian Complaint Control Number (CCC#) to all civilian complaints.
- Maintains Civilian Complaint Control Log for all CCC#'s issued.
- Prepares daily, the Civilian Complaint Control Sheet (CCCS).

- Transmits copies of complaint forms to CCIU by fax or email.
- Distributes copies of CCCS to Senior Headquarters staff.
- Transmits original CCCS to CCIU at the completion of the 2x10 tour.
- Maintains file copies of all CCRB-1's and CCCS's transmitted to CCIU.

OIG/Civilian Complaint Investigations Unit

- Accepts civilian complaints and determines whether the complaint merits an investigation.
- Receives faxed or emailed copies of CCRB-1's from Police Commands and the CCCS from the CPD.
- Receives original CCRB-1's from Police Commands and the CCCS from CPD.
- Sends copies of CCRB-1's to the Chief of Department, Zone Commander, and Facility Commanding Officer.
- Notifies the member of the force who is the subject of the complaint, unless CCIU determines that the investigation conditions mitigate against such notification.
- Maintains Civilian Complaint Report Log which includes basic information on complaint plus name of investigator assigned, date of assignment, date presented to CCRB and final disposition, among other things.
- Maintains centralized case files for all civilian complaints.
- Corresponds with complainant to transmit a copy of complaint form along with the name and telephone number of the investigator assigned to the case.
- Conducts inspection of the Civilian Complaint Control Log at the CPD.
- Investigates the complaint.

Complaint Investigation

- The CCIU will investigate all non-criminal civilian complaints filed against Police personnel and shall be responsible for gathering all relevant documents; interviewing all involved persons; establishing a case file and preparing completed investigation reports including recommendations for final disposition.
- The CCIU shall have the authority to interview Police personnel and have access to any record or report of the Department relative to the civilian complaint investigation. Where appropriate, such interview shall be conducted in accordance with P.O.I. 2-6, Disciplinary Investigations.
- The assigned investigator will contact the complainant within five business days by telephone or mail to notify the complainant that the complaint is being investigated.
- If the complaint alleges excessive use of force, the complainant will be asked to sign a Medical Information form that authorizes release of their relevant medical records to the CCIU.
- The investigator will interview the complainant at the CCIU office when possible.
- The investigation report shall use the following categories to classify its conclusion:

Substantiated- There is sufficient credible evidence to believe that the subject officer committed the act charged in the allegation and thereby engaged in misconduct.

Unfounded- There is sufficient credible evidence to believe that the subject officer did not commit the alleged act of misconduct.

Exonerated- The subject officer was found to have committed the act alleged, but the subject officer's actions were determined to be lawful and proper.

Unsubstantiated- The available evidence is insufficient to determine whether the officer did or did not commit misconduct.

Officer(s) Unidentified- The agency was unable to identify the subject(s) of the alleged misconduct.

Conciliation- The complainant agrees for his/her complaint to be disposed of by the subject officer(s) being counseled by their Commanding Officer.

Withdrawal- The complainant withdraws his/her complaint and the agency determines that there is no basis to investigate the alleged misconduct.

Misconduct Not Based on Original Complaint (to be used in conjunction with one of the above dispositions) – Investigation reveals wrongdoing, but not of the kind, complaint alleged.

- At the close of the investigation, the case will be approved by the OIG Director of Investigations, or his/her designated representative, who will then be responsible for presenting findings and making a recommendation to the CCRB, as well as completing any follow-up actions required by the Board.
- A copy of the CCIU investigative files will be provided to the CCRB no later than on the Friday prior to each Board meeting.

Civilian Complaint Review Board

- The members of the CCRB will review each case and consider the investigatory conclusion and recommendation offered.
- The CCRB may require additional input from the CCIU before making their final recommendation regarding the alleged misconduct to the Director of Public Safety.
- After a final determination by the Director of Public Safety, the CCRB shall transmit a letter to the complainant and the member of the force informing them of the results of the investigation and any recommended corrective action. If the Director of Public Safety decides not to follow the recommendation of the CCRB, the Director will notify the CCRB and OIG of the decision and reason for it. A record of the disposition will be sent to the Facility Commanding Officers; Zone Commander; Chief of Department; and, in the case of a sustained complaint, a copy will be retained in the member's facility personnel file.

CONFIDENTIALITY OF INVESTIGATIONS

Investigatory material of the CCIU/CCRB is considered confidential information. The confidentiality serves the need to protect both the member and the complainant.



Michael A. Fedorko
Superintendent of Police/
Director, Public Safety Department

POLICE PATROL GUIDE
COMMAND OPERATIONS

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I. INTRODUCTION

Police Officers assigned to tunnel motor patrol must perform certain basic duties and discharge their responsibilities in order that the motoring public receive a safe and expeditious crossing and that facility roadways be used to maximum advantage in accordance with the operating standards of the Port Authority. It is the responsibility of patrolling police superiors to assure that these duties are performed and standards maintained.

II. PURPOSE

This instruction outlines the operating policy in reference to (1) the duties of police officers assigned to tunnel motor patrol. (2) the basic guide for police superiors to assist them in the proper supervision of the performance of these officers. The following is not to be construed as to preclude facility police commanding officers from issuing local directives, which supplement the provisions of this instruction.

III. DUTIES AND RESPONSIBILITIES

A. Direct and Control Traffic

The direction and control of traffic requires that traffic be under continuous observation. While patrolling the tunnel, the officer should be alert for stoppages or other conditions, which would affect the control of tunnel traffic.

B. Handle Stoppages

1. The handling of stoppages requires that the officer find the disabled vehicle quickly on his own initiative or when directed by the tunnel control center or a superior officer. It also requires that traffic in the area of the disabled vehicle and throughout the tunnel be safely and quickly directed in accordance with existing stoppage handling procedures.
2. In the absence of a Facility Operations Agent, the officer will expedite the handling of the stoppage in accordance with facility procedures.

C. Movement of Traffic Across Center Line (One Lane Closed)

1. When one lane of a tunnel roadway is closed to vehicular traffic because of maintenance work being performed in that lane, members of the force will not cross vehicles into the closed lane. Should an emergency condition arise during the period when a lane is closed for maintenance, the officer will control traffic in accordance with established stoppage handling procedures.

2. During emergency conditions in which officers are controlling traffic from the roadway, it will be permissible to cross traffic from the far lane to the near lane and the near lane to the far lane, as may be required by such emergency conditions.

D. Enforce Traffic Regulations

The enforcement of the traffic regulations makes it necessary for the officer to observe traffic continuously, for such enforcement requires that violations be witnessed. Established procedures for the issuance of summonses, as stated in P.D.I.'s 6-1 and 6-3, must be followed.

E. Tunnel Inspection

It is essential that officers frequently inspect the tunnel to insure that everything is in good order. During tunnel inspections, the following must be accomplished:

1. Inspection of both lanes of the tunnel roadway to insure that there are no foreign objects in the roadway. He shall immediately report any slippery conditions or other circumstances, which may contribute to an unsafe roadway.
2. All deficiencies noted as a result of these inspections must be reported immediately to the Police Desk, noted in the Police Officer's memorandum book and passed on to the Officer's relief.

I. INTRODUCTION

Traffic accident investigation is obtaining and recording information to form an opinion or explanation about: --- HOW the accident happened --- WHY it happened --- WHOSE FAULT it was.

Thus, investigation involves getting facts and forming opinions beyond those required to report the-accident. Much of the information must come from personal observation and sources other than the drivers involved.

II. PURPOSE

A. The purpose of traffic accident investigations is to gather data which will be used to help prevent accidents in the following manner:

1. Serve as a basis for traffic engineering changes.
2. Guide selective enforcement programs to reduce specific violations.
3. Assist the facility staffs in improving traffic control techniques.
4. Point out areas that require further training for police.

III. SELECTION, TRAINING AND ASSIGNMENT

A. Selection

Final selection of applicants for training in traffic accident investigations will be made by the Police Academy Commanding Officer based upon the recommendations of facility Commanding Officers, subject to the approval of the Superintendent of Police

B. Training

C. Assignment

Successful candidates shall be accredited by the Police Academy Commanding Officer and assigned to facility traffic accident investigations in accordance with facility operating plans, as the need arises.

IV. SUPERVISION OF TRAFFIC ACCIDENT INVESTIGATIONS AND REPORTS

Investigations and reports by traffic accident investigators shall be under the direct supervision of Tour Commanders and the general direction of Police Commanding Officers.

V. BASIC TRAFFIC ACCIDENT INVESTIGATION PROCEDURE

- A. Proceed to the scene of the accident as soon as possible in safety.
- B. Safeguard the scene from further accidents.

- C. Care for the injured and protect their property.
- D. Interview principals.
- E. Seek and interview witnesses.
- F. Compare the statements of the operators and witnesses.
- G. Secure written statements from operators and witnesses.
- H. Examine the vehicles and the roadway; observe traffic control devices and other pertinent physical conditions.
- I. Take pertinent photographs and measurements. Photographs of the following subjects are often needed to complete an investigation:
 - 1. General scene taken from the point from which the driver saw it as he approached.
 - 2. Points of impact as shown on vehicle and the object struck.
 - 3. Skid marks showing length and direction.
 - 4. Traffic control devices -- including signs, signals and road markings -- usually taken from the point of view of the approaching motorist.
 - 5. Nature of the roadway at location showing type of pavement, defects in surface, etc.
 - 6. Position of cars, victims and parts of cars after impact, showing distances from the point of impact.
 - 7. View obstructions.
 - 8. Blood, flesh, hair, fabrics, etc.
 - 9. Tire prints.
 - 10. Defects in vehicles, etc.
 - 11. Overloaded vehicles, etc.
 - 12. A record on the back of each picture will include:
 - a. Name and shield number of photographer.
 - b. Date, time and location of accident.
 - c. Description of view, i.e., right front, left front, etc.
 - 13. Photo Data Sheets (P.A. 2234) will be used to record all photographs relative to the investigation.
 - *Sequence of action depends on individual circumstances.
- J. The following measurements are often pertinent to the investigation:
 - 1. Skid marks showing length and positions.
 - 2. Point of impact in relation to centerlines.

3. Distance traveled after impact by car and objects struck.
 4. Width of roadway.
 5. Distances of traffic control devices, signs, etc: from roadway to show exact location.
 6. Distance from roadway to fixed object struck.
 7. Distance from collision point to objects found, such as parts of cars.
 8. Distance and direction of camera in relation to principal objects in photographs.
 9. Clearance distance in cases of parked cars and other obstructions in roadway.
- K. Clear the scene of glass, wreckage and obstructions.
- L. If a victim was taken to a hospital, ascertain his condition; and, if possible, interview him before completing report.

VI. REPORTS

A. Policy

It is the policy of the Port Authority to secure prompt and complete details of accidents occurring at or upon its facilities and to obtain accurate reports and statements of conditions prevailing at the scenes thereof in order to fix specific responsibility for such accidents and protect the Port Authority from unwarranted action.

B. Managerial Responsibility

It is the responsibility of the facility manager to investigate and report of all known vehicle accidents occurring at his facility (P.A.I. 55-3.01 dated 12/20/67).

C. Reports Diagrams and Photographs By Traffic Accident Investigator

1. Reports, diagrams and photographs by traffic accident investigators are supplements to the final report of the facility manager.
2. With the exception of the original P.A. Form 621, all original copies of reports, statements, diagrams and negatives of all • photographs shall be consolidated into one package and safe guarded by the facility Commanding Officer. A copy of the original P.A. Form 621 shall be included in the package. All reports for distribution as prescribed in P.A.I. 55-3.01 shall be copies of the original.

D. Distribution

As directed by the facility manager, the facility Police Commanding Officer shall have copies of the accident investigation reports prepared for:

1. Line Department Director or General Manager.
2. Law Department Claims Attorney.

3. Traffic Engineering Division.
4. Risk Management Division

E. Dissemination of Information

All reports, statements, diagrams and photographs gathered during, an accident investigation should be considered confidential. All requests for information should be directed to the Claims Unit of the Law Department.

F. Port Authority Accident Reports

1. P.A. 621 shall be prepared and signed at the scene of the accident by the officer on post or by the first officer to arrive. It is not necessary that the accident investigator prepare the form.

G. State Accident Forms

Port Authority employees involved in an accident while driving Port Authority vehicles shall be responsible for filling out the appropriate state form and submitting it to the P.A. Claims Attorney.

1. A New York driver has 10 days to report an accident on Form MV104 if the damage is over \$200.00.
2. A New Jersey driver has 5 days to report an accident on Form SRI if the damage is over \$200.00.
3. As part of the investigation, all drivers involved in accidents should be reminded of their obligation to report accidents to the appropriate state Motor Vehicle Agency having jurisdictional responsibility.

VII. ENFORCEMENT POLICY DURING TRAFFIC ACCIDENT INVESTIGATIONS

- A. The laws of arrest shall govern all enforcement action during traffic accident investigations. Traffic violations must be witnessed before arrests are made or summonses issued.

VIII. TYPES OF TRAFFIC ACCIDENTS THAT SHOULD BE INVESTIGATED BY TRAFFIC ACCIDENT INVESTIGATORS

- A. All fatalities.
- B. Traffic accidents on or contiguous to Port Authority property that involve Port Authority equipment, property or personnel.
 1. This is to be determined by the Tour Commander based on type, seriousness and public relations impact.
- C. Serious personal injury accidents.
 1. This is to be determined by the Tour Commander.
- D. Those accidents not mentioned above which in the opinion of the Tour Commander require investigation.

IX. MUNICIPAL POLICE TRAFFIC ACCIDENT INVESTIGATIONS AT PORT AUTHORITY FACILITIES

- A. Municipal police conducting simultaneous traffic accident investigations on Port Authority property shall receive complete cooperation. Facility police personnel shall complete a separate investigation in accordance with this Instruction.

X. CONTROL AND CARE OF EQUIPMENT

A. Responsibility

Cameras and other related accident investigation equipment shall be inspected by the assigned police officer at the Start of his tour.

1. The rear of "Vehicle Mileage Report" PA 70A* contains a complete list of the equipment to be kept by each facility maintaining an accident investigation program. It also serves as a checklist, which is to be submitted to the Commanding Officer-by, the inspecting officer.

B. Photo Equipment

One complete set of photo equipment - listed on Form PA 70A - will be maintained by each facility having an accident investigation program. It shall be stored in a portable case and properly secured at a location designated by the Police Commanding Officer.

C. Measuring and Safety

Equipment Two complete sets of measuring and safety equipment (listed on Form PA 70A) will be maintained by each facility having an accident investigation program. They shall be stored in a portable case and properly secured at a location designated by the Police Commanding Officer.

D. Replacement, Repairs and Supplies

1. The facility Polaroid camera (See PDI 7-3) shall be used for accident investigation whenever the Yashica 124G Camera is out of service. The Purchase and Supply Services Division of the General Services Department shall arrange all repairs and service.
2. Films, bulbs and batteries are maintained in stock; supplies can be obtained by specifying requirements on the Photographic Form (PA 645), see Appendix A
3. A Strobe Electronic Flash Unit is maintained for use with the Yashica 1246 Camera.
4. Each facility shall stock the following equipment for immediate replacements:
 - a. Six safety film packs (Kodak CPS 120).
 - b. Six safety film packs (Kodak ASA 120 Trix).
 - c. Six packs of Polaroid film (3t X 4).

- d. Six photoflash batteries.
- e. One half gross (72) medium peak bulbs (Class M #2).

E. Practice

Facility Police Commanding Officers will set up a program whereby all accident investigators are allowed to practice with the Yashica 124G Camera to the extent sufficient to maintain basic skills.

F. Patron Accidents

Patron accidents are those accidents sustained by non-P.A. employees and are other than those, which involve a motor vehicle, that occurs on Port Authority property.

When an accident as described above occurs, the officer will complete P.A. forms 146 and 147, "Patron Accident or Property Damage Report". (see Appendix B and C)

After completion of the faces and the appropriate blotter entries, the forms will be forwarded to:

1. P.A. 146 - the Claims Attorney, Law Department
2. P.A. 147 - if a patron accident, the form is sent to the Risk Management Division. If property damage, the form is sent to the Insurance Division of the Law Department.

APPENDIX A

FACILITY _____ TOUR _____ TIME _____
 P.A. VEHICLE NUMBER _____ DATE _____ / _____ / _____

ACCOUNTED FOR CONDITION

<u>PHOTO EQUIPMENT</u>	<u>Good</u>	<u>Defective *</u>	<u>Missing</u>
1. Yashica 124G Camera	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Strobe Electronic Flash Unit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. 2 Rolls Kodak CPS Color Film	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Photo Data Sheets (PA Form 2234)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MEASURING EQUIPMENT

1. 100' Metallic Woven Tape	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. 8' Pocket Rule	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Rolatape	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Yellow Crayon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Two Clipboards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Graph Paper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Note Paper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SAFETY

1. Four Radar Lites.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Four 12" Cones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* EXPLAIN DEFECT _____

ABOVE EQUIP. INSPECTED BY _____ # _____
 Officer's Signature Shield

PA 2234-A
7-58

PHOTO

DATA

PHOTO	
CAMERA	
FILM - (If not secret film)	
ACCIDENT TRAFFIC <input type="checkbox"/>	<input type="checkbox"/>
IF OTHER, DESCRIBE:	

E V E N T	FACILITY		
	DETAILED		

SCENE OR OBJECT	PLACE AND DATE (OR OTHER THAN ACCIDENT) AND HOUR	DISTANCE FROM NAMED OBJECT	DIRECTION CAMERA OF SCENE	NOTES (INCLUDING LENS OPENING)	PICTURE NUMBER
					6
					5
					4
					3
					2
					1

(SEE INSTRUCTIONS)

NAMES OF ADDITIONAL WITNESSES MAY BE INCLUDED IN AVAILABLE SPACE OR ON AN ADDITIONAL SHEET

Witness No. 1	Full Name and Address							
	Phone No.	Relationship to Injured	Accompanied Injured?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Work at Facility	<input type="checkbox"/> Yes <input type="checkbox"/> No	P.A. Employee ?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Witness No. 2	Full Name and Address							
	Phone No.	Relationship to Injured	Accompanied Injured?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Work at Facility	<input type="checkbox"/> Yes <input type="checkbox"/> No	P.A. Employee ?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Total P.A. Damage		<input type="checkbox"/> None <input type="checkbox"/> \$ 100 or less <input type="checkbox"/> Over \$ 100		Signature of Person Reporting Accident			Date / /	
COMPLETE THIS SECTION ONLY IN CASES OF ACTUAL OR PROBABLY PERSONAL INJURY								
Who Reported Accident?			Did Injured Wear Glasses		Type of Glasses			
			<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Bi-Focal <input type="checkbox"/> Tinted Glasses <input type="checkbox"/> Other:			
Who Assisted Injured Off Stairs or Point Where Found?								
How Were You Called To Scene? <input type="checkbox"/> Phone <input type="checkbox"/> Public Address <input type="checkbox"/> Other:								
What Was Your Post Assignment?								
Other P.A. Personnel At Scene: Names & Titles								
Where Did You First See Injured? In Which Position?								
Did You Attempt To Get Identity of Witness?			<input type="checkbox"/> Yes <input type="checkbox"/> No		Weather Conditions <input type="checkbox"/> Wet <input type="checkbox"/> Dry <input type="checkbox"/> Snowing <input type="checkbox"/> Raining			
Any Apparent Disability Other Than From Fall?								
What Did Injured Allege Caused Fall?								
Kind Of Shoes Worn By Injured:		<input type="checkbox"/> High Heels <input type="checkbox"/> Medium Heels <input type="checkbox"/> Flat Heels <input type="checkbox"/> Galoshes <input type="checkbox"/> Other:						
What Did Injured Carry?								
Was Injured Traveling Alone?		<input type="checkbox"/> Yes <input type="checkbox"/> No If No, Who Accompanied?						
Any Evidence of Alcohol?			<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Describe:			<input type="checkbox"/> Speech <input type="checkbox"/> Odor <input type="checkbox"/> Gait <input type="checkbox"/> Other:		
If Taken to First Aid, How?			<input type="checkbox"/> Walking <input type="checkbox"/> Wheel Chair <input type="checkbox"/> Stretcher <input type="checkbox"/> Other:					
How Departed From First Aid?			<input type="checkbox"/> Walking <input type="checkbox"/> Wheel Chair <input type="checkbox"/> Stretcher <input type="checkbox"/> Other:					
Was Injured Familiar With Terminal?			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> Does Not Apply		Was Injured Using Handrail?			
					<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> Does Not Apply			
Did City Police Respond?			<input type="checkbox"/> Yes <input type="checkbox"/> No Identify:					
To Be Completed By Supervisor			If the following section cannot be completed immediately, forward this report as is, and when this information is obtained it should be forwarded as a supplement to the report.					
Personnel Assigned to Area			Area Last Cleaned by B.A.			<input type="checkbox"/> am At <input type="checkbox"/> pm		
Inspected Motor Stairs, Stationary Stairs At			<input type="checkbox"/> am <input type="checkbox"/> pm		How?			
Condition			Signature of B.A.					
			Area Last Inspected by B.A.			<input type="checkbox"/> am At <input type="checkbox"/> pm		
Last Coating of Area (If Applicable)			Condition					
Signature		Date		Signature of Person Making Inspection			Date	

INSTRUCTIONS

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. Print in Black Ink 2. Identify all witnesses 3. Check all appropriate boxes 4. Submit promptly additional information, as available, to <u>Manager, Claims Administration.</u> | <ol style="list-style-type: none"> 5. Forward this form to Manager, Claims Administration 6. If P.A. Property is damaged, prepare Maintenance Work Order Form PA 2302. Write "Accident Damage" in description of job. Also indicate M.W.O. number in appropriate box on reverse side of this form. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REVIEWED BY: _____
DATE / /
ACTION REQUIRED _____

FILE <input type="checkbox"/>

I. INTRODUCTION

This instruction prescribes the procedure to be used to record Police Blotter entries of accidents.

II. LIMITATION OF POLICE BLOTTER ENTRIES

Desk Officers shall link Police Blotter entries in cases of motor vehicle accidents and accidents not involving motor vehicles to the following information:

A. Motor Vehicle Accidents

1. Time.
2. Nature of occurrence.
3. Approximate location.

Example: On the page for Monday, November 27, 1972, a motor vehicle accident entry would appear as follows:

"1412 M/V acc. - ent. to P.L. #1"

Thus, the above entry would indicate that a motor vehicle accident occurred at 1412 hours at the entrance to Parking Lot #1.

B. Accidents Not Involving Motor Vehicles

1. Who was involved?
2. Where the accident occurred.
3. When it occurred.
4. What, if any, medical assistance was given.

Example: On the page for Monday, November 27, 1972, an entry of an accident not involving a motor vehicle would appear as follows:

"1515 - Mrs. Jane Doe, 112 Main Street, Newark, New Jersey reported that she fell to the sidewalk in front of Domestic Terminal Building. First Aid was administered, reported by P.O. John Jones, Shield #1234."

In this type of accident, the blotter entry should not indicate that the officer witnessed the accident but rather that the injured person reported or stated that he or she was involved in an accident.

NOTE M: Military Time will be utilized when noting an occurrence in a Police Blotter.

III. GENERAL

No reference to the effect that accident reports or accident forms have been prepared and forwarded shall be included in blotter entries.

I. INTRODUCTION

This instruction outlines the procedure to be followed when receiving, verifying, transmitting and canceling police alarms throughout the Police Division.

II. POLICY

It is the policy of the Police Division to cooperate fully with all law enforcement agencies in the apprehension of wanted persons, and the recovery of lost and stolen property within the legal limits of the Criminal Justice System.

III. PURPOSE

To insure that each police alarm received is:

1. Recorded properly.
2. Verified as to origin and content.
3. Transmitted correctly.
4. Cancelled promptly.

IV. RESPONSIBILITY

The Central Police Desk is designated the Alarm Control Center for the entire Police Division, and the Espartos Officer in charge shall be responsible for telephone and teletype alarms being properly processed, recorded and transmitted in accordance with this instruction.

V. FORMS

The following forms are associated with police alarms:

PA 2324 - Police Alarm Log (Recording the Information)

PA 2069 - Alerts (Disseminating the Information to the Field)

VI. NUMERICAL SEQUENCE

Each police alarm received at the Central Police Desk, which is directed or pertinent to the Port Authority Police, whether by teletype or by telephone, will be recorded on Form 2324 and will receive a Port Authority number to establish a numerical sequence. The number assigned will be determined by the sequence received and the year in which the alarm was received, i.e. 1-75, 2-75, 3-75, etc.

VII. TELETYPE ALARMS

A. Central Police Desk Procedure

1. Teletype alarms received by the Central Police-Desk that are directed to the Port Authority or are pertinent to a specific facility will be given a numerical listing which will be recorded on PA Form 2324, Police Alarm Log, by the Superior Officer in charge of the Central Police Desk

2. The Central Police Desk Sergeant will then immediately telephone the pertinent information of the alarm to all facilities.
 3. The copy of the alarm will be filed with the alarm log as a ready reference and will be the authority to arrest of reasonable cause.
- B. Facility Police Desk and/or Communications Desk (T, B&T) Procedure
1. "Facility Desk officer and/or other assigned personnel receiving police alarms from the Central Police Desk will enter the information on the facility log, PA Form 2324, and will prepare the required number of Alert Forms 2069 in accordance with the standard facility distribution.
 2. Teletype alarms received by the Central Police-Desk that are directed to the Port Authority or are pertinent to a specific facility will be given a numerical listing which will be recorded on PA Form 2324, Police Alarm Log, by the Superior Officer in charge of the Central Police Desk
 3. Dissemination of police alarms to Toll Collectors will only be made by direction of the Tour Commander, through the Toll Supervisors on duty.

VIII. TELEPHONE ALARMS RECEIVED

- A. Central Police Desk Procedures " telephone alarm received at the Central Police Desk will be recorded on P.A. Alarm Form 2324, and will be verified by telephone directly to the issuing authority before being released to the field. Upon verification, the alarm will be assigned a number and transmitted to all facilities.

IX. TELEPHONE ALARMS RECEIVED AT FACILITIES

- A. Facility Procedure Alarms not of an immediate nature must first be called into the Central Police Desk where they will be verified, numbered and issued to other police units as warranted. All alarms received at a facility must be called into the Central Desk. . This mould include the "Rot Line" phones at the Lincoln Tunnel, George Washington Bridge and Holland Tunnel
- B. Central Desk Procedure Upon receiving a notice from the facility that they have issued-.a telephone alarm to the field, the Central Police Desk will obtain all the pertinent information, enter the alarm on P.A. Form 2324, verify the information with the issuing authority and disseminate the alarm to all facilities.

X. CANCELLATIONS

All alarm cancellations, whether received by teletype or telephone will be brought to the attention of the Central Police Desk. The Sergeant on duty will be responsible for Checking all cancellations received against any active alarm list. When an alarm is cancelled, the facilities previously alerted will be promptly notified and the cancellation will be recorded on Police Alarm Log 2324. Any Alert Forms 2069 posted on bulletin boards, etc. will be removed.

XI. RECORDS RETENTION

Facility alarm records will be retained for a period of one month in addition to the current month. The Central Police Desk will maintain the master alarm log for a period of one year in addition to the current year.



POLICE OPERATIONS MANUAL

POLICE COMMUNICATIONS PROCEDURES AND CODE SIGNALS

PURPOSE:

To assure standard communications procedures to comply with FCC requirements and assure efficient use of assigned frequencies in accomplishing the duties of the Port Authority Police.

POLICY:

It is the policy of the Port Authority Police that all code signals are classified as confidential and will not be disclosed to nonmembers of the department, except to those individuals whose duties require them to respond to a given signal.

Use of police code signals by civilian personnel must be cleared by the facility Police Commanding Officer or Tour Commander. Use of aircraft alert codes is restricted to personnel with responsibilities designated by the Facility Manager in agreement with the Federal Aviation Administration.

PROCEDURE:

Members of the force will be responsible for compliance with standard radio procedures as contained within this procedure and for the proper use of each code signal listed in Attachments "A", "B", and "C." Any use of signals not authorized for Port Authority Police personnel in this instruction is prohibited.

RADIO TRANSMISSIONS

All transmissions by members of the force will be for official purposes only. Horseplay, vulgar language and other unwarranted transmissions are prohibited.

When transmitting, police personnel will speak distinctly, starting with the identification of the unit being called, then the identification of the unit calling, and standby for acknowledgment. The phonetic alphabet (Attachment "D") will be used in all transmissions to express the letters of the alphabet.

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Members Will Suspend Radio Transmissions When

- Advised by desk personnel or supervisory personnel.
- Transmissions will interfere with other communications in progress.

Call Dispositions

Members returning from dispatch will report a call disposition to the desk personnel utilizing the code, which is the most definitive response. These dispositions will be recorded as a permanent police record.

RESPONSIBILITIES OF FIELD UNITS

- Notify the desk of all reported incidents.
- Police Officers will carry out assignments from desk personnel as if received directly from a superior officer. If the officer has a question or complaint regarding the assignment, he/she will pursue the complaint through the appropriate chain of command, after completing the assignment.
- At facilities with non-police unit dispatchers, police personnel will accept assignments subject to the approval of a police supervisor.
- Notify the desk upon arrival at the scene.
- Provide desk personnel with continuous update, if applicable.
- Advise the desk of the completion of assignment and disposition.
- Request a supervisor to respond to the scene, if applicable.
- When patrol or investigative units will be out of service for repairs or for investigation, special detail or similar reason, the unit will advise the desk personnel, giving the location.
- Patrol units out of service for meal, delayed meal, personal or any other reason will advise the desk by radio of the proper code and location.
- If a patrol unit is out of service at a telephone location where radio contact is not possible or practical, the geographic location and the phone number will be provided to the desk.
- Units out of service will maintain radios in normal operating order and will be available for immediate dispatch, if necessary.

RESPONSIBILITIES OF DESK PERSONNEL

- The continual awareness of the status of all patrol units will be the responsibility of the desk personnel.
- Police Desk personnel are responsible for dispatching and assigning police units during normal operations.
- Non-police unit desk personnel are responsible for relaying messages to police units subject to the approval of a police supervisor.
- When dispatching a patrol unit, desk personnel will provide the unit with the location and description of the incident. The dispatched unit will acknowledge receipt by stating, "copied" which will indicate the assignment is received and understood.
- In unusual circumstances, advise the Tour Commander and other patrol supervisors of any change in a unit's status.
- Upon notice of arrival at a dispatched location, desk personnel will acknowledge the unit has arrived at the scene.
- Acknowledge all dispositions provided by the field units.
- Assignments and directives may be altered or countermanded by the Tour Commander.
- Desk personnel will document all units reporting out of service for any reason.
- Notify the Tour Commander when advised that unit(s) will be out of radio contact.
- When the dispatching unit cannot locate the field unit, the dispatcher will send another unit to the scene or assigned area of patrol and notify the Tour Commander and patrol supervisor, who will take immediate action to locate the missing unit.

SPECIAL SITUATIONS

Planned Loss of Radio Contact

If, for any reason, operational or investigative, any member of the force plans to undertake an activity, which will require that the unit(s) be out of radio contact with the facility or CPD, advance approval of a supervisor is required and the supervisor assumes the responsibility to notify the facility desk and the CPD.

8-13 - Assist Officer

If a member is being assaulted or in imminent danger of being assaulted, he/she should use the Code 8-13 followed by the specific location. This will inform the desk personnel and all units of the danger. All units dispatched will proceed as quickly as possible to the scene with due regard to safety. All units are responsible to ensure that the radio frequency is cleared for the duration of the crisis.

8-14 - Provide Back-Up

The code will be used when, in the opinion of the officer, one or more additional units will help maintain control of an incident, or as a precautionary tactic, to keep a situation from escalating further. The officer should provide information concerning the nature of the condition when making the request.

All Patrol Unit Messages

There are many times when broadcast of alarms or special messages to all field units is desired. If the message is lengthy, the announcer should pause at reasonable intervals to allow units to interrupt with emergency calls. When completed, the dispatcher will advise the frequency is clear.

Closure of Desk Communications

When any facility desk is forced to close, portable radios and alternative telephone communications will be implemented. All facility units will be advised of the new location. The Central Police Desk will be notified and radio maintenance will be contacted immediately. The Tour Commander or designee will prepare a written memorandum to the Commanding Officer, noting the reason, duration, notifications made, and time of resumption of normal operations.

Unit-to-Unit Transmission;

Other than during a crisis, these transmissions are prohibited. All transmissions will be conducted through the facility desk. This will ensure the systematic flow of communication and prevent units from cutting each other off. However, when circumstances arise, the Tour Commander may grant authorization for two units operating on the same frequency to switch to another channel to communicate. Upon completion of the transmission, both units will return to normal channel and advise the desk personnel they are back on frequency and state the time.

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Multiple Unit Response

During high priority situations requiring a coordinated effort of two or more units, the ranking supervisor will assume responsibility for coordinating the assignment and deployment of all units. If the supervisor or command personnel are not readily available, the first police officer on the scene will assume control.

Inter-Facility Transmissions

Desk personnel or field units desiring to contact a field unit at another facility by radio will obtain prior authorization from the Tour Commander. However, during emergency situations, the unit calling will switch to the frequency the other facility uses and transmit the message through the facility desk.

Inter—Jurisdictional Incidents

When necessary to dispatch patrol or investigative units to incidents or assignments within the jurisdiction of other agencies, desk personnel will notify the other department of this agency's presence and purpose in their jurisdiction. The Tour Commander will be updated on events until disposition of the incident.

Extra Duty Codes

Commanding Officers may institute temporary additional code signals, if deemed necessary, for the efficient operation of the facility provided the code signals in Appendix "A" are not changed and the instituted code does not conflict with other facility codes. In addition, beyond an occasional "extra duty" detail, new or added codes must be submitted to the Superintendent of Police for approval.

By order of:



Director, Public Safety Department
Superintendent of Police

ATTACHMENT "A"

Code Signals Radio/CAD Systems

Code Signals

8-8	Fire Alarm
8-8-E	Explosion
8-8-T	Track Problem
8-1 0	Disturbance
8-10-C	Disturbance Crowd
8-11	Person with Weapon (Unknown Type)
8 - 0	Person with a Gun
8 -K	Person with a Knife
8-12	Shots Fired
8-13	Assist Police Officer
8-14	Back-Up Requested
8-14-C	Back-Up Requested Car Pursuit
8-14-F	Back-Up Requested Foot Pursuit
8-15	Investigate Suspicious Person
8-15-B	Investigate Unattended Bag
8-1 5-H	Investigation Homeless Person
8-16	Person in Custody (Arrest)
8-17	Strike Activity
8-18	Animal Loose
8-18-1	Animal Injured
8-19	Ambulance Call
8-20	Aided Case
8-20-C	Aided Case (Cardiac)
8-20-U	Aided Case (Unconscious)
8-20-B	Aided Case (Not Breathing/Choking)
8-21	Motor Vehicle Accident (Property Only)
8-21-1	Motor Vehicle Accident w/ Injuries
8-22	Personal Injury (Contusion)
8-22-B	Personal Injury (Bleeding)

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8-22-F	Personal Injury (Fracture)
8-22-S	Personal Injury (Spinal/Neck)
8-23-R	Robbery in the Past
8-23-B	Burglary in the Past
8-23-L	Larceny in the Past (Grand, Petit)
8-23-A	Assault in the Past
8-23-S	Sexual Assault in the Past
8-23-C	Cargo Theft in the Past
8-23-K	Abduction/Kidnapping in Progress
8-23-M	Murder/Manslaughter w/& w/o Negligence
8-23-T	Trespass
8-23-D	Controlled Substance (Drugs)
8-23-H	Aggravated Harassment
8-24	Fuel Spill
8-24-H	Hazardous Chemical or Material Condition
8-24-R	Radiological Condition
8-25	Hijacking
8-26	Hold-Up Alarm (Vault, Bank)
8-26-C	Covert Alarm
8-26-S	Smoke Detector Alarm
8-26-W	Water Flow/Sprinkler Alarm
8-27-R	Robbery in Progress
8-27-B	Burglary in Progress
8-27-L	Larceny in Progress (Grand, Petit)
8-20-P	Aided Case (Pregnancy)
8-27-A	Assault in Progress
8-27-S	Sexual Assault in Progress
8-27-C	Cargo Theft in Progress
8-27-K	Abduction/Kidnapping in Progress
8-27-H	Hostage Situation
8-27-T	Trespassing/Breach of Security
8-28	Bomb Threat

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8-29	Skyjacking
8-30	Juvenile Activity
8-31	Off Facility
8-35	Escort (Bank)
8-35-C	Escort (Cargo)
8-36	Meal
8-37	Relief
8-38	Personal
8-39	Call by Phone
8-40	Return to Quarters
8-41	Transportation
8-42	Request M/V Check (Lic, Reg.)
8-45	Request N.C.I.C. (Veh, Person)
8-46	Unable to Obtain M.V. or N.C.1.C. Check
8-47	"HIT" on Previous Information Requested
8-48	E.D.P.
8-49	Lost Property
8-50	Meet Officer (Rendezvous)
8-51	Missing Child Tender Age
8-52	I.D. Check
8-53	Disabled Auto
8-54	Taxi Requested
8-55	Auto Operated Recklessly
8-56	Intoxicated Person/Driver
8-57	A.O.A.
8-58	Supervisory Investigation
8-59	Complaint Against Other Agency
8-60	Car Stop
8-61	Dangerous Roadway Condition
8-62	Parking Problem
8-63	Structural Collapse (Wall, Ceiling)
8-65	Request for Tow Truck/Wrecker

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8-70-F	Out of Service Facility Inspection
8-70-0	Out of Service (Gas)
8-70-M	Out of Service (Mechanical)
8-70-R	Out of Service (Radio)
8-70-P	Out of Service (Paperwork)
8-70-0	Out of Service (Mobilized)
8-71	Out of Service (PA Medical)
8-72-A	Out of Service Court (AAB)
8-72-H	Out of Service Court (Hack Bureau)
8-72-C	Out of Service Court (Criminal)
8-72-S	Out of Service (Hospital Security)
8-72-V	Out of Service (V.1.P.)
8-74	Verify Call or Job
8-75	Repeat Message
8-76	Stand-By
8-90	Unfounded
91	Job Corrected
98	Resuming Patrol

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ATTACHMENT "B"

Headquarters Units
Radio Designations

The following Code Signals which may be transmitted via radio or public address system are the official codes for use by police at all facilities:

PD-1	Director
PD-1 (Alpha)	Asst. Director/Dep. Supt. of Police
PD-1 (Bravo)	Asst. Director/Administration
PD-2	Chief Inspector/Asst. Supt. of Police-Operations
PD-3	Chief Inspector/Asst. Supt. of Police- Prof. Stds.
PD-4	Police Inspector-Operations (Aviation, Marine Terminals and Path)
PD-5	Police Inspector-Operations (TB&T, WTC, PABT)
PD-6	Deputy Inspector, Labor Relations
PD-6 (Alpha)	Deputy Inspector, Inspectional Services
PD-6 (Bravo)	Deputy Inspector, Operations & Special Services
PD-7	Police Captain, Criminal Investigation Bureau
PD-7 A	Police Captain, Special Investigation Unit
PD-7B	Police Captain, Police Academy
PD-7C (Alpha)	Police Captain, Inspectional Services
PD-8	Reserved
PD-9	Reserved
PD-10	Reserved
PD-11	Manager, Labor Relations

- 8 Police Captain
- 8 - 0 Police Lieutenant
- 8 - 1 Police Sergeant
- 8 - 2 Police Officer
- 8 - 3 Police Superior on Patrol and Officer
- 8 - 4 All Male Port Authority Employees
- 8 - 5 Detective or Plainclothesman
- 8 - 6 Military Police
- 8 - 7 Other Law Enforcement Agencies
- 8 - 8 Fire Brigade
- 8 - 9 Patrol Car Operator

ATTACHMENT "C"

AIRCRAFT ALERT CODES.

Kennedy International Airport (JFK)

3-2 Aircraft Alert No Equipment Requested (Partial Response)

3-3 Aircraft Alert Equipment Requested (Full Response)

3-4 Aircraft Crash Full Response

LaGuardia Airport (LGA)

4-2 Aircraft Alert No Equipment Requested (Partial Response)

4-3 Aircraft Alert Equipment Requested (Full Response)

4-4 Aircraft Crash Full Response

Newark International Airport (EWR)

CONDITION ONE	Major Accident, Fire or Other Emergency on Aircraft- Full Response
CONDITION TWO	Aircraft Accident or Fire Off Airport Partial or Full Response Depending on Location
CONDITION THREE	Minor Aircraft Accident or Fire - Full Response
CONDITION FOUR	Potential Aircraft Emergency - Partial Response
CONDITION FIVE	Bomb Threat To Aircraft
CONDITION SIX	Hijack (Ground)
CONDITION SEVEN	Skyjack (Airborne)
CODE RED I	Terrorist Attack

ATTACHMENT "D"

PHONETIC ALPHABET

The Phonetic Alphabet will be utilized to ensure the message is received accurately.
The accepted alphabet is as follows:

A=ALPHA

J=JULIET

S=SIERRA

B=BRAVO

K=KILO

T=TANGO

C=CHARLIE

L=LIMA

U=UNIFORM

D=DELTA

M=MIKE

V=VICTOR

E=ECHO

N=NOVEMBER

W=WHISKEY

F=FOXTROT

O=OSCAR

X=XRAY

G=GOLF

P=PAPA

Y=YANKEE

H=HOTEL

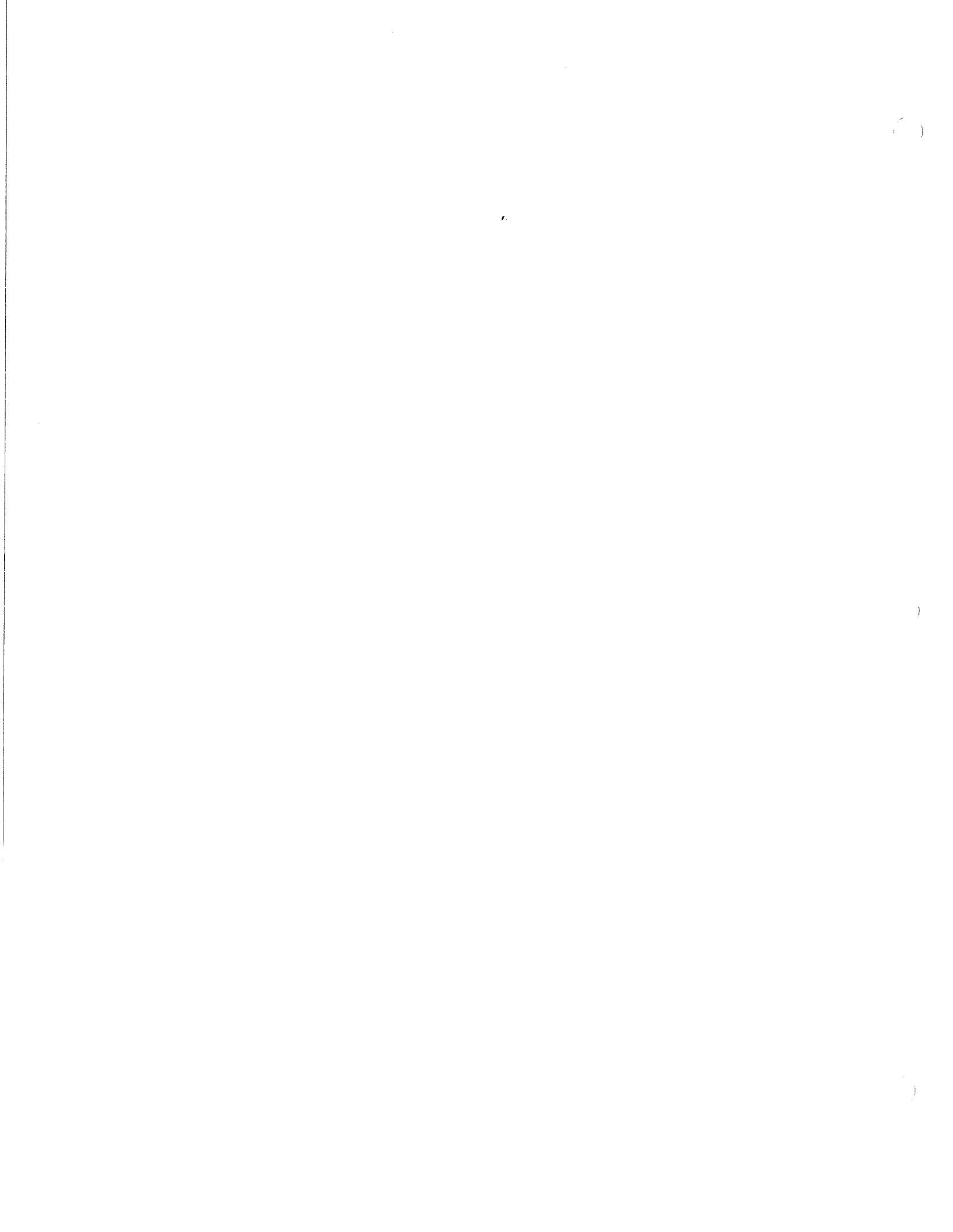
Q=QUEBEC

Z=ZULU

I=INDIA

R=ROMEO

S=SIERRA





POLICE OPERATIONS MANUAL

ESCORT OF PERSONS AND SAFE CARRIAGE OF WEAPONS ABOARD AIRCRAFT

PURPOSE:

To provide procedures regarding the escort of persons and safe carriage of weapons aboard passenger aircraft. Carriage of weapons aboard passenger aircraft should only be considered necessary or appropriate when escorting a prisoner.

POLICY:

Only those members of the force, specifically authorized in writing by the Superintendent of Police, will be permitted to travel aboard a passenger aircraft while armed. Each person in the custody of this Department must be escorted by at least two (2) officers when traveling aboard a passenger flight. In all cases where firearms or prisoners are transported aboard a passenger flight, the Captain of the aircraft has the final authority to determine if and how they will be carried. If airline policy is in conflict with departmental policy, alternative transport must be used.

When not required on the particular flight, such as the outgoing or return portion of a prisoner escort mission, weapons will be unloaded and checked in baggage.

PROCEDURE:

Members of the Force

- Request authorization to carry weapon aboard aircraft by submitting a Form 90 in triplicate through channels to the Superintendent of Police.
- If flight destination is outside the state of New York or New Jersey, the member must comply with procedures contained in P.O.1.4-12, "Carriage of Weapons Outside of New York and New Jersey."

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Upon receipt of Superintendent's approval:

- Notify appropriate facility of departure.
- Forward to appropriate facility of departure a copy of the authorization.
- Notify airline carrier as far in advance as practical, but no less than one (1) hour prior to scheduled departure. •
- Record name of airline representative notified.
- Petition airline representative for information regarding their procedure for safe carriage of weapon aboard their aircraft.
- Forward results of notification to originating command prior to boarding aircraft.

PRIOR TO BOARDING AIRCRAFT

Members of the force declare to the carrier, either orally or in writing before checking the baggage, that any firearm carried in baggage is unloaded.

Upon request of airline representative, members of the force will:

- Display shield, identification card and letter of authorization from Superintendent of Police.
- Request pre-boarding of flight if guarding prisoner.
- Request information regarding seat location of other armed officers on aircraft.
- Request that seating is not next to or across from any aircraft exit or lounge area.
- Petition for seating other than aisle seats for escorted persons.
- Escorting officer will search each person under his/her control for anything that can be used as a deadly or dangerous weapon.

When required by airline and consistent with FAA regulations, weapons will be unloaded and checked in baggage. The baggage in which the weapon is carried must be locked and only the member checking the baggage retains the key or combination.

CONDUCT ABOARD AIRCRAFT

- Remain with prisoner at all times.

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- Keep prisoner handcuffed with hands to rear when practical. If handcuffed in front, handcuffs must be secured to security belt on prisoner's waist.
- Escorts and escorted person will remain in assigned seating position.
- Seated officer should be between the escorted person and any aisle.
- Authorize the use of eating utensils and service of food and beverage.

PROHIBITED CONDUCT ABOARD AIRCRAFT

- Display of firearm or other authorized equipment carried on officer's person.
- Carrying chemical weapons aboard aircraft.
- Police action, which may endanger aircraft or passengers.
- Consumption of intoxicants by escort or prisoner.
- Identifying self or prisoner to anyone except police officials or airline personnel.

REPORTS

Follow-Up CCR

- The escorting officer upon completion of his/her assignment will submit follow-up CCR report to his/her Commanding Officer. The report shall include:
 - Name, shield number
 - Date and time
 - Length of trip
 - Identity of escorts
 - Identity of prisoners
 - Name of airline
 - Criminal Complaint Report Number
 - Any unusual occurrences during trip
 - Disposition of case/escorted person

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- Transportation utilized at destination

By order of:



Director, Public Safety Department
Superintendent of Police



POLICE OPERATIONS MANUAL

BIAS INCIDENTS

PURPOSE:

To establish procedures for the response to and investigation of any incident, which appears to be bias, motivated.

DEFINITION:

Bias Incident - Any suspected or confirmed offense or unlawful act is bias based if the motive for the commission of the offense or unlawful act against a person or property is race, religion, ethnicity, or sexual orientation.

POLICY:

It may be difficult to determine whether a specific action is a bias incident. Therefore, it will be the policy of this department that any and all -incidents which appear to be bias related will be reported as a Bias Incident until verified otherwise through investigation. The investigation will be given a priority consistent with that of other serious crimes and will be conducted in a timely fashion using appropriate resources to determine the facts and circumstances of each incident.

PROCEDURE:

When an officer responds to a scene and determines that the situation is a suspected or confirmed Bias Incident, the following procedures shall be followed:

- Notify Police Desk of the incident.
- Request additional personnel, if necessary.
- Respond in a sensitive way to the victim and provide medical assistance, if necessary.
- Protect the crime scene in preparation for the gathering of evidence, if applicable.

Formerly

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- Photograph the area, if applicable.
- Request the presence of a supervisor.
- Request investigative personnel to respond to the scene.
- Obtain names and addresses of witnesses and persons who observed the incident.
- Prepare Criminal Complaint Report.
- Keep the Police Desk apprised of the ongoing events at the scene.

RESPONSIBILITIES OF TOUR COMMANDER

- Respond immediately to all suspected or confirmed Bias Incidents and attempt to verify if the occurrence is a Bias Incident.
- Confer with the initial responding officer and supervise the preliminary investigation.
- Ensure the crime scene is protected and preserved.
- Take steps to ease fear and reduce the potential for further violence.
- Increase patrols at the location, if necessary.
- Ensure the Bias team from the Criminal Investigations Bureau has been notified to respond to the scene.
- Notify the Facility Commanding Officer.
- Gather necessary information in order to sustain a follow-up investigation.
- Forward all initial reports upon completion to the facility Commanding Officer.
- Upon arrival of investigative units, advise them of the information and circumstances surrounding the incident.

Establish a press area at the scene, if necessary.

COMMANDING OFFICER- CRIMINAL INVESTIGATIONS BUREAU

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- Notify the District Attorney's Office in New York or the Prosecutor's Office in New Jersey of all suspected and confirmed Bias Incidents within a reasonable time not to exceed 48 hours.
- Assume control of investigation.
- Personally visit and interview the victim(s) within 10 days of the incident.
- Forward all initial and follow-up reports through channels to the Superintendent of Police. Coordinate the investigation with other agencies if applicable.
- If the incident is confirmed as a Bias Incident, ensure that the (Uniform Crime Report supplementary Bias Incident offense report N.J.) is completed and forwarded to the Crime Analysis Unit.

New Jersey

- Notify Local Police Department
- Notify State Police Central Security Bureau (N.J.)

New York

- Notify Local New York City Police Precinct
- Notify N.Y.P.D. Bias Unit
- Notify the appropriate State Division of Civil Rights, if deemed necessary.
- Ensure that all physical evidence and physical remains of the incident are removed after the crime scene processing is complete. If remains cannot be removed (e.g., paint on walls), the local city Public Works Department, the Port Authority Maintenance, or the property owner should be notified of the need for complete removal as soon as possible after the crime scene has been processed.
- Maintain contact with Federal, State and Local agencies for information exchange.
- Keep the arresting officer advised of the status of the case.

RESPONSIBILITIES OF DESK PERSONNEL

- The responsibilities are as follows, but are not limited to:
- When notified of a suspected or confirmed Bias Incident, a chronological report of the incident will be maintained.

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- Keep the supervisor at the scene apprised of all communications to the desk regarding the incident, such as: inquiries from other police agencies, news media, community leaders, special interest groups and public affairs.

At the request of the Tour Commander, make notifications to the following

- Central Police Desk
- Commanding Officer of the Criminal Investigations Bureau
- Bias Response Team.
- Public Affairs
- Facility Commanding Officer
- Local Police Departments

Ensure the back of the CCR, on the lower left side, is marked with a 2x3 stamp entitled "Bias Crime."

NOTE: The Central Police Pool Commander is responsible to ensure that the Central Desk Personnel maintain a current list of emergency referrals, treatment centers, support centers, and county victim-witness advocacy program. This list must be available to all facility personnel on a 24 hour basis.

VICTIM ASSISTANCE/TREATMENT

- Accompany to line-ups, photo review sessions, body identifications, and medical examinations required for evidence.
- Victim interviews will be conducted in as secure, private and pleasant surrounding as possible.
- An interpreter will be made available, as necessary.
- Victim will be allowed to use the telephone at Police Station.

- Immediate medical care will be provided to victim.
- Every effort will be made to minimize inconvenience to the victim.
- Appointments will be scheduled at victim's convenience, when possible.
- Interviews will be conducted promptly.
- Whenever possible, limitations will be placed on the number of times the victim

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must repeat the facts surrounding the offense.

- Property will be returned within 30 days unless evidentiary requirements prevail (not applicable to firearms).
- High priority will be given to investigating victim reports of threats or intimidation. Copy of reports will be forwarded to the County Prosecutor/District Attorney and the Local Police Agency.
- Ensure medical care, shelter, relocation, food, clothing, childcare are provided at the crime scene through the appropriate agency, if applicable.
- Assist victim with completing forms and filing claims.
- Refer victim to appropriate victim-witness advocacy.
- Provide crisis intervention counseling through:
 - Twenty-four (24) hour hot lines
 - Emergency psychiatric service.
 - Victim assistance agencies.

If the victim requests medical attention, it will be provided through on-site first aid, a call for an ambulance or by transport to a medical facility. Medical examinations required for evidence purposes may be eligible for reimbursement to the victim through a claim to the violent crimes compensation board or through a private insurance carrier, if any. However, medical exams solely for the purpose of gathering evidence may be billed directly to the department if no other funding source is available.

FACILITY COMMANDING OFFICER

Ensure that all initial and follow-up reports describing the actions of all units that participated in the incident are forwarded to the Commanding Officer of the Criminal Investigations Bureau (CIB).

Increase patrols, if necessary, to ensure that the incident does not escalate. Advise CIB of any follow-up information received regarding the incident.

CRIME ANALYSIS UNIT

- Complete the N.Y. and N.J. State form for Bias Incidents.
- Notify the State Police Uniform Crime Reporting Unit in N.Y. and N.J.

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- Report on a monthly basis all reported Bias Incidents through channels to the Superintendent of Police.
- Report on a monthly basis all confirmed bias incidents to the State Police along with all other monthly reports by the seventh day after the close of reporting period.

GUIDELINES FOR IDENTIFYING BIAS INCIDENTS

The following questions will assist the officer in determining whether or not a reported incident is motivated by bias. This list is not all-inclusive, an officer may have to rely on experience and common sense when a situation does not clearly fit the listed criteria.

- The motivation of the perpetrator as expressed in statements to the victim or statements made to the reporting officer such as slurs.
- The belief of the victim that the intent was based on bias.
- Display of any bias symbols used to deface public or private property, i.e., a swastika, the initials KKK or a burning cross.
- The time and date of occurrence corresponds to a holiday of significance.
- Observations at the scene and a common sense review of the circumstances surrounding the incident such as the groups involved in the attack and the manner in which the attack was carried out. It may be useful to note if a pattern of similar incidents in the same area is developing.

KEEP THE FOLLOWING QUESTIONS IN MIND WHEN APPLYING CRITERIA

- Is the victim from one religious or ethnic group and the suspect from another?
- Is the victim the only ethnic/minority group member or only one of a few in the neighborhood?
- Did the victim recently move to the area?
- When multiple incidents have occurred in a short time period, are all the victims of the same racial or ethnic group?
- Has the victim been involved in recent public activities relating to discrimination or civil rights that were likely to make them targets for harassment?

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- Has there been media coverage of events of a similar nature?
- Is there an ongoing neighborhood problem that may have contributed to the event?
- Could the act have been a result of motivation other than bias?
- Was there any "hate" literature distributed by or found in the possession of the perpetrator?
- Were perpetrators adults or juveniles? If juveniles, do they understand the meaning to the community at large and to the victim of the symbols used?

By order of:



Director, Public Safety Department
Superintendent of Police

Formerly



POLICE OPERATIONS MANUAL

EXPOSURE CONTROL PLAN: BLOODBORNE PATHOGENS

PURPOSE:

The purpose of this policy is to provide guidelines for police personnel in order to prevent their infection with certain communicable/infectious diseases, such as HIV and Hepatitis B.

POLICY:

It is the policy of the Port Authority Police Department to protect its employees from exposure to certain bloodborne pathogens such as human immunodeficiency virus (HIV) and Hepatitis B virus (HBV). This department will therefore continuously provide employees with up-to-date safety procedures and communicable/infectious disease information that will assist in minimizing potential exposure, while increasing their understanding of the nature and potential risks of communicable/infectious diseases.

DEFINITIONS:

Bloodborne Pathogen: microorganisms (pathogens) present in human blood (or secretions), which are capable of causing disease in humans. These pathogens include, but are not limited to, HIV and Hepatitis B virus.

Communicable Disease: any infection carried from one person (or animal) to another by direct or indirect contact.

Infectious Disease: any disease due to the action of a microorganism in a human (or animal), whereby the microorganism interrupts the usual function of any tissue, organ, or the body as a whole, continuing for a short or long period.

Potentially Infectious Materials: human body fluids that include, but are not limited to, blood, any body fluid that is visibly contaminated with blood such as semen, vaginal secretions, saliva, or other body secretions that may harbor a microorganism. Animal bites can also transmit infectious disease.

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Disposable Gloves: latex or other material impervious to the transfer of body fluids as per the Centers for Disease Control and Prevention.

Sharp(s): Any object capable of cutting or puncturing the skin.

CDC: Centers for Disease Control and Prevention, U.S. Department of Health & Human Services

HIV: Human Immunodeficiency Virus

AIDS: Acquired Immune Deficiency Syndrome

HBV: Hepatitis B Virus

INTRODUCTION

AIDS

AIDS is a lethal disease, and the medical community holds little hope for either a cure or a vaccine for it in the near future. The incubation period (that is, the amount of time from infection to the appearance of symptoms) may be as long as 10 years. In addition, approximately 30 percent of pregnant women infected with HIV transmit the virus to their unborn children.

HEPATITIS B

The Hepatitis B virus (HBV) causes the disease Hepatitis B (formerly known as Serum Hepatitis). The incubation period for Hepatitis B averages 120 days. HBV can result in acute and chronic hepatitis, cirrhosis of the liver, and/or liver cancer. An estimated 750,000 to 1 million people in the United States carry the Hepatitis B virus.

Approximately 90 percent of pregnant women with the disease pass it on to their unborn children. Usually three doses of the Hepatitis B vaccine are needed to protect an individual from the disease:

- An initial dose
- A second dose, one month later
- A third dose, six months after the first dose

Studies have shown that significant protection from serious infection with the Hepatitis B virus is achieved in over 90 percent of adults who received the recommended three dose regimen. Occasionally a booster dose is needed to maintain a satisfactory level of protection. Periodic blood tests are used to determine whether or not adequate immunity is maintained.

Formerly

GENERAL GUIDELINES AND PROCEDURES

Infections Disease Prevention

- All human blood and certain human body fluids are to be treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens. (Universal Precautions)
- In order to minimize potential exposure to infectious diseases, officers should assume that all persons are potential carriers of infectious disease. Thus, in all cases, one will use the maximum protection available.
- Disposable gloves will be carried, or be readily accessible to police personnel, at all times.
- The Office of Medical Services offers the Hepatitis B vaccination free of charge and post exposure evaluation and follow-up for all employees, where it is reasonably anticipated that they may have occupational exposure to bloodborne pathogens. All police personnel are considered to have the potential for exposure through either law enforcement activities or other official contact with members of the public.
- It is incumbent upon all police personnel to contact the Office of Medical Services, if they wish to receive the Hepatitis B vaccination. Those who decline the vaccine will be given a waiver form to sign. If at a later time they decide to obtain the vaccine, one will be made readily available.
- All police personnel should wear disposable gloves when they anticipate handling persons, equipment, or materials contaminated with blood or other body fluids.
- Masks, protective eye wear, and disposable exam gowns should be worn where body fluids may be splashed on the officer.
- Plastic mouthpieces or other authorized barrier/resuscitation devices should be used by qualified officers when performing CPR or rescue breathing.
- All department personnel are required to provide emergency medical care and administer CPR to any person in their care and custody when they have been trained and qualified to do so, and to have appropriate equipment and supplies available.

Formerly

- All sharp instruments such as knives, scalpels and needles must be handled with extraordinary care, and should be considered contaminated items.
 - Leather gloves should be worn when searching for, or handling sharp instruments.
 - Officers should not place their hands in areas where sharp instruments might be hidden. An initial visual search of the area should be conducted, using a flashlight where necessary. The suspect may also be asked to remove such objects from his/her person.
 - Needles will not be recapped, bent, broken, removed from disposable syringes, or otherwise manipulated by hand.
 - Needles shall be placed in clearly marked puncture-resistant containers for disposal purposes.
 - Hypodermic instruments (with or without fluids) that are obviously discarded and cannot immediately be linked with a specific incident or person, shall be placed in an authorized sharps container and taken to the nearest medical waste sharps disposal bin for removal. Such items will NOT be vouchered as evidence. (Approved by the N.J. Division of Criminal Justice and the New York City District Attorneys' offices in all 5 Boroughs).
 - If puncture-resistant containers are not immediately available, officers should carefully wrap the sharp object in paper or cloth, place it in an envelope or bag, and clearly mark the envelope or bag as containing sharp objects. As soon as practical, the officer will make arrangements to obtain a plastic sharps container, into which he/she will place the completely wrapped sharp(s).

Do not unwrap!

- All contaminated materials, excluding sharp objects, will be placed in red infectious waste bags for disposal. Red medical waste plastic bags are available through P.A. stockrooms in 5 and 10 inch sizes, are to be used for disposal of contaminated sharps. After being securely contained, such items will be disposed of into specially marked disposal bins for sharps. For waste pick up, notify the Port Authority Contract/Environmental Programs section at (201) 216-2879.
- Officers should not smoke, eat, drink, apply make-up, or handle contact lenses around body fluid spills.

- Whether wearing disposable gloves or not, officers who come into contact with blood or other body fluids should wash their hands and exposed areas with warm water and soap as soon as possible following contact.
- Any open cuts or breaks in skin should be covered with a bandage and kept dry. If the protective covering gets wet, a new covering should be applied.

EVIDENCE

- Evidence that requires serological examination such as blood, semen, and other body fluids, will not be placed in plastic security envelopes or plastic bags. These items are to be air dried and placed separately in brown paper bags or manilla evidence envelopes. Open, impervious containers can be used to temporarily contain items that are saturated with blood or other body fluids. After a contaminated container is no longer needed, it will be disposed of in a red infectious waste bag.
- Bloodstained clothing, fabrics, etc., are to be placed separately in clean bags. Do not use plastic bags!
- Contaminated knives and other similar sharps are best contained in rigid, clear containers.
- Needles shall be placed in clearly marked puncture-resistant containers (stockroom item) when being collected for evidentiary purposes.
- Disposable gloves will be worn during direct handling of any contaminated evidence.
- All evidence packaging, which contain items that have been contaminated by potentially infectious material, shall be labeled accordingly. Officers will affix a "BIOHAZARD" sticker to the package, and with indelible ink, will either print or stamp the words "Biohazard/Evidence" on different parts of the packaging material.
- Police evidence storage areas shall have a section designated exclusively for biohazardous evidence. A prominently posted sign for this section will read: "Biohazardous Stored Here." A similarly marked box should be used to contain the biohazard evidence, which can be used by the evidence officer for delivery to the police lab. Biohazardous evidence should be transported to the appropriate lab promptly to avoid deterioration or loss of valuable evidentiary material.

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- In the courtroom, whenever possible, refer to biologically contaminated evidence with photographs. This is a special N.Y.C. Police Department requirement.
- Labels affixed to hypo containers must include the invoicing officer's name, date, tax registry number and command.
- Voucher hypo containers on a separate PROPERTY CLERK'S INVOICE (PD 521-141) apart from other property/evidence involved in same occurrence.
- Place hypo containers in serialized plastic security envelopes. Multiple hypo containers will be placed in the plastic security envelope, if involved in the same occurrence.

Note: No other evidence, e.g., glassine envelopes, etc., will be placed in same plastic security envelope.

- Store invoice and plastic security envelope containing hypo containers in property locker to be forwarded to the appropriate Property Clerk facility.

Note: The police laboratory will no longer routinely perform tests on hypodermic needles and syringes, and such items will be stored at the appropriate Property Clerk facility.

TRANSPORT AND CUSTODY

- No officer will refuse to arrest or otherwise physically handle any person who may have a communicable disease. Police personnel will avail themselves of appropriate protective equipment required.
- Officers should not put their fingers in or near a prisoner's mouth.
- When possible, individuals with body fluids on their persons should be transported in a separate vehicle from other individuals. The individual may be required to wear a suitable protective covering (such as a surgical gown) if he/she is bleeding or otherwise emitting body fluids.
- Suspects taken into custody with body fluids on their persons will be placed directly into a separate holding cell for processing where possible.
- Confidential HIV-related information, as defined in NYS Public Health Law Art. 27-F and NJSA 26:5C shall not be released except as delineated in the above laws.

Formerly

- Officers have an obligation to notify relevant support personnel during a transfer of custody when the suspect has body fluids present on his/her person, or has stated that he/she has a communicable disease.
- Officers will document on the appropriate arrest or incident form when a suspect taken into custody has body fluids on his person, or has stated that he/she has a communicable disease.

MANAGEMENT OF HUMAN BITES

- When bites occur, routine and surgical therapy (including an assessment of tetanus vaccination status) should be implemented as soon as possible, since such bites frequently result in infection with organisms other than HIV and HBV.
- Precautionary procedures may be implemented for victims of bites, but in conjunction with such procedural measures, officers should be reminded that the danger of infection through bites is extremely remote and that the measures being taken are simply precautions indicated by basic hygienic considerations. These actions are
 - Encourage the wound to bleed by applying pressure.
 - Wash the area thoroughly with soap and warm water; and
 - Seek medical attention through the Office of Medical Services.If not available, respond to the nearest medical facility, and subsequently follow-up with O.M.S.
- The HIV virus has been isolated in only very small concentrations in saliva and urine, and not at all in feces. Contact with these bodily substances presents little or no risk of infection with the AIDS virus.

FIGHTS AND ASSAULTS

- Physical combat may result in bleeding and may thus incur a greater chance for blood-to-blood exposure, which increases the chances for bloodborne disease transmission.
- Whenever the possibility for exposure to blood or blood-contaminated body fluids exists, the appropriate protection should be worn if feasible under the circumstances. When blood is present and a suspect or prisoner is combative or threatening, gloves should always be put on as soon as conditions permit.

CARDIOPULMONARY RESUSCITATION

- Although there have been no documented cases of HIV transmission through this mechanism, the possibility of transmission of other infectious diseases exists.
- Qualified personnel should avail themselves of protective masks or airways.

SEARCHES

- Officers should never put their hands blindly into purses, bags, pockets, etc. When searches are required and lawful, officers should always empty out the contents of purses, bags, or any other items that are not in clear containers prior to searching.
- Officers should exercise extreme care when searching any items of clothing. Clothing should be shaken gently (not patted or groped) to reduce the potential of being stuck by hidden sharp objects.
- Officers should wear disposable gloves while conducting searches. Contaminated gloves will be disposed of in a red medical waste bag.
- As an added precaution, leather gloves may be worn over disposable gloves for searches.
- Extreme caution should always be exercised by the searching officer while conducting any search to reduce the likelihood of being stuck by a hidden sharp object.

Cell Searches

- Officers should exercise extreme care while conducting cell searches, never placing their hands into an area they cannot visually inspect. Flashlights and mirrors should be used to assist in visual inspection.
- Officers should wear disposable gloves while conducting cell searches.

Body Searches

- Disposable gloves should always be worn while conducting a body search because the searching officer may come into contact with blood or other body fluids.
- Extreme caution should always be exercised by the officer when searching the person's clothing to reduce the likelihood of being stuck by a hidden sharp object.

Formerly

Patdown Search or Frisk

- Prior to conducting the search, the officer should ask persons being searched if they have any sharp objects on themselves or their clothing. If yes, the searching officer should instruct the person to remove the sharp objects from their person or clothing taking care not to afford the person an opportunity to use the object as a weapon.
- The person being searched should then be instructed to remove all remaining items from the pockets.
- As much clothing as possible (within legal and departmental limits) should be removed from the person prior to the search.
- As an added measure of safety for the searching officer, and if the suspect is not physically impaired, the person being searched should be directed to use the left hand to remove items from the right pockets and the right hand to remove items from the left pockets.
- Before conducting a patdown search, the searching officer should visually inspect the person to be searched for any noticeable bumps in their clothing that would indicate a hidden object.
- While conducting a patdown search, the searching officer should avoid rapidly sweeping movements with the hands down the arms, legs and torso of the person being searched.
- The searching officer should carefully pat areas before using a groping search technique to reduce the likelihood of being stuck by a hidden sharp object

Clothing Searches

- Extreme caution should be exercised when searching clothing to reduce the potential for being stuck by hidden sharp objects.
- Disposable gloves should be worn by personnel when searching clothing.

CLEAN-UP PROCEDURES

Body

Formerly

- Hands must be washed immediately after each contact with a potentially contaminated person, animal, or article. Use ordinary soaps. There is no need to use soaps with antimicrobial agents. Waterless hand cleaner may be used as a temporary measure until running water and soap become available.
- Any unprotected skin surfaces that come into contact with body fluids shall be immediately and thoroughly washed with copious amounts of warm running water and liquid soap for at least 30 seconds before rinsing and drying.
- Alcohol (70% ethanol or isopropyl) or antiseptic towelettes or a waterless cleanser may be used where soap and water are unavailable. Follow up with handwashing as soon as soap and water becomes available.
- Bleach should not be used to cleanse hands.
- Following disposable glove removal, hands and forearms should be washed with warm soapy water for at least 30 seconds.
- Hand lotion should be applied after disinfection to prevent chapping and to seal cracks and cuts on the skin. As a precaution, hand lotion should be applied on a regular basis prior to the start of one's tour.
- All open airts and abrasions SHALL BE COVERED with bandages before reporting back to duty.

Clothing

- As soon as practical, officers should remove their clothing when it has been contaminated with body fluids. Disposable gloves should be worn when removing clothing. Any contacted skin area should then be cleansed in the manner prescribed in this procedure.
- DO NOT USE CHLORINE BLEACH ON FIRE FIGHTING PROTECTIVE CLOTHING! Some components of these garments are inherently flame resistant but lose their physical integrity on exposure to chlorine bleach. Oxygeneated bleaches (such as Liquid Clorox 2, Liquid Vivid, etc.) may be utilized for cleaning, spot cleaning, and pretreating. (Ref. NFPA 1581).
- Contaminated clothing will not be taken home to launder or dry dean but will be laundered by a contract service. Disposable gloves will be worn during any direct contact with such clothing.

Commercial Laundering Procedure

- A special commercial laundering service has been contracted by this department to wash or dry clean clothing that has been contaminated by potentially infectious material. To utilize this service, the employee will list the clothing items on a handwritten report, and submit the report to the Tour Commander for review. The Tour Commander will verify whether the items of clothing have been contaminated, and upon confirming this, will authorize use of the commercial service.
 - Officers will use a special biodegradable bag to contain their clothing for laundering or dry cleaning.
 - Contaminated washable and dry cleanable clothing are to be marked and contained separately.
 - To prevent fabric bleeding, items of different colors will be bagged separately.
 - The officer will affix a completed garment pick-up form to each bag. The bags are then deposited in a special hamper.
 - Desk personnel, or other facility representative, will sign for all pick-ups' and deliveries and forward a copy to their police command staff office.
 - Pick-up of contaminated bagged garments is arranged by contacting the Morey LaRue Company, (908) 925-9856. Pick-ups and deliveries will be in accordance with normal delivery schedules.

Note: This procedure does not preclude the Tour Commander from authorizing replacement of garments severely contaminated and deemed unserviceable. In this case, the garment should be disposed of in the appropriate biohazard waste container and a handwritten report submitted to the Commanding Officer.

Equipment

- Equipment items that are contaminated with blood or other body fluids should be thoroughly cleaned after use.
- A supply of household bleach (sodium hypochlorite) will be maintained at all police commands and other appropriate sites. A solution of 1 part household bleach to 100 parts water (approximately 1/4 cup bleach per one gallon of tap water) is sufficient to decontaminate equipment items. This solution has to be made fresh every 24 hours. Mixed solutions of bleach and water lose their potency after 24 hours. This solution will not damage equipment items such as weapons, handcuffs, keys, car seats, etc.

Formerly

NOTE: Bleach mixed with any substance other than water may cause a toxic gas. Disposal of bleach or bleach dilutions should be performed only in a sink, not in a urinal or toilet, which may contain chemical deodorizers. All personnel are advised to use caution when handling sodium hypochlorite and solution. Disposable latex gloves and goggles should be worn to protect the hands and eyes. Precautions should be taken so as not to splash the solution on articles of clothing, as the bleach will leave spots on uniforms. A disposable paper gown may be used for this purpose.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Disposable Gloves

- A supply of all glove sizes (i.e., small, medium, and large) must be made available at every Police Command.
- Utilize disposable gloves when necessary in handling persons, animals, or items in a safe/sanitary manner.
- Disposable gloves should be worn when handling persons who are bleeding or have open wounds or lesions.
- Disposable gloves should be worn when handling clothing, equipment, or other material contaminated by blood or other body fluids.
- Disposable gloves should be worn by personnel in any situation where they may be exposed to blood or other body fluids.
- Disposable gloves should be worn once and discarded. If the gloves have been contaminated by blood or other body fluids, they should be placed in a special red disposable bag that is clearly marked for contaminated biohazard items.
- When removing disposable gloves, there should be no contact with the mouth. The gloves should be pulled off inside out to prevent any contaminated fluid from having contact with the skin.
- This Department recommends the following glove removal procedure:

Figure 1



Figure 2

Figure 3



- A bare hand must never touch the outside of a glove.
 - With one gloved hand, pinch the other glove around the wrist and pull this glove halfway off and stop (see figure 1).
 - With half off gloved hand, pull the other glove that is still on, completely off (see figure 2).
 - With ungloved hand pull the other glove off, only touching the inside of the glove (see figure 3).
 - Dispose of gloves in a BIOHAZARD red bag or container.
 - Personal Protective Equipment should be removed prior to entering the cab or driver compartment of a vehicle, or any vehicle not being used to transport a person requiring such protection. Remember: Anything touched by contaminated gloves becomes contaminated, and will need to be disinfected.
- Officers should wash their hands as soon as possible after removing the disposable gloves.
 - Disposable gloves should never be worn for extended periods of time. Officers should use a pair of gloves when warranted by the situation, and then discard them.
 - Replacement disposable gloves should be readily available and easily accessible at the work location.

Pocket Masks

- Several pocket masks and face shields are available for all CPR trained Department personnel to carry on their persons while on duty (See "Supplies" list).
- The pocket mask carrying case (which is attached to the gun belt) will also contain disposable latex gloves and an antiseptic towelette. (Rondex brand only)
- Pocket masks will only be used by trained personnel for administering rescue breathing or CPR.
- The Micro-Shield is a single use product. After use, it should be disposed of in a biohazard waste container and replaced by the Command. These devices are less bulky and are intended for use by plainclothes officers and personnel who are normally expected to have little contact with the public. This includes, but is not limited to, plainclothes officers, Police Desk and Emergency Garage personnel, administrative officers, etc.
- The Laerdal Pocket Mask is re-usable. After use, the facemask should be washed with a mild soap and warm water, and then disinfected using 1% Sodium Hypochlorite solution (1/4 cup bleach to 1 gal. water, this solution should be fresh, not more than 24 hours old). It is best to soak the mask for 10 minutes and then rinse with dean water. The one-way valve/mouth piece should be disposed of in a biohazard waste container and replaced by the Command.
- The Rondex Pocket mask is fully disposable. It should be disposed of in a biohazard waste container and replaced by the Command. Even though Rondex masks are imprinted with an expiration date, the manufacturer has provided written assurance that this mask can be used beyond the expiration date as long as the mask is found to be in good working condition.
- It is the responsibility of each officer to inspect, maintain and replace personal protective equipment as needed.
- Other masks and/or shields may be made available and may replace the present authorized masks. All department personnel should be guided by memoranda covering such masks/shields, which will become part of this P.O.I. A supply of pocket masks, face shields, and any replaceable parts should be made available at every police Command.
- A supply of disposable latex gloves and sodium hypochlorite shall be made available at every police Command.

Formerly

Other Protective Items

- Disposable surgical facemasks with attached eye shields, or disposable facemasks with separate goggles, should be worn when there may be splattering of blood or other body fluids.

SUPPLIES

- Adhesive bandages: 1" x 3" (stock item # HA0100190) and extra large (stock item* HA0100195).
- Disposable latex gloves - small (stock item # HA0100480), medium (stock item #HA0100485), large (stock item HA0100490), extra large (stock item *HA0100495).
- Disposable surgical masks (stock item *AS0700110).
- Disposable surgical paper masks with attached eye guards (stock item *AS0700100).
- Disposable exam gowns (stock item *HA0100472).
- Goggles (stock item A5010017).
- Disposable sheets (stock item *HA0100615).
- Sturdy impervious red biohazard bags (stock item *HA010190).
- Rondex disposable rescue breathing mask kit in a black carrying case (stock *HA0101175).
- Antiseptic wipe (Refill stock item*HA0101180).
- Micro-Shield Rescue Breather (stock item *AS0700010).
- Laerdal Pocket Mask (stock item # AS0700020).
- Laerdal Pocket Mask replacement one-way valve/mouth piece (stock item * AS0700030).
- Puncture-resistant evidence containers for needle storage (stock item *HA0100560).

- Puncture-resistant evidence containers for sharps storage (stock item *HA0100335) 5 in. size.
- Puncture-resistant containers for sharps disposal (stock item *HA0100340) 10 in. size.
- Antiseptic such as zephiran or betadine (stock item # HA0100660) one gal. size.
- 70% rubbing alcohol (stock item #11A010020).
- Sodium hypochlorite (household bleach) (stock item *HA0100065) one qt. size.
- Hydrogen peroxide (stock item* HA0100630).
- Moisturizing cream (stock item # AS0700080).
- Alcohol foaming scrub (stock item # AS0700090).
- Waterless hand cleaner (stock item AU00700060-AU00700080).
- Terry cloth towels (stock item *AU0100-758).
- Plastic forceps (stock item #1-1A0101130).
- Paper evidence bags: sm. (stock item *AA0300010), med. (stock item #AA0300020), lg. (stock item *AA0300030).
- Biohazard stickers (stock items * AS070040, 50, 60 or 70).
- Biodegradable bags for contaminated clothing.
- Garment laundering/dry cleaning pick-up form.
- Hamper with lid for dry cleaning and laundering (provided through Police Headquarters) (28 gal. red).
- Biohazard waste container with lid (provided through Police Headquarters) (28 gal. red).

SPILLS

- Disposable gloves should be worn when cleaning up any spills of body fluids. Gowns and facemasks (with shields or goggles) may also be appropriate if there is a potential for the splattering of body fluids.

Formerly

- Clean affected area with a solution of 1 part bleach to 100 parts water (1/4 cup of bleach to one gallon of tap water). Always add bleach to water and not the reverse. Spread the bleach solution on the affected area and allow a contact time of approximately 10 minutes.

- A bleach solution will be routinely used by informed maintenance staff to clean detention cells. The disinfectants used in regular detention cell cleaning are sufficient to decontaminate areas where spills occur, if the bleach and water solution is not available.

- Disposable towels should be used as much as possible to clean up blood or other body fluids. Disposable towels should be discarded in a red disposable bag that is clearly marked for contaminated items.

- Mops should be thoroughly cleaned using the same solution (1:100 bleach to water) after being used.

REPORTING PROCEDURES

Employee Responsibility

At anytime during a work assignment, when an employee has direct contact with blood or other body fluids on open cuts, breaks in skin, or in mucous membranes, or is stuck or cut by a sharp object, or is unsure whether an occurrence constitutes the likelihood of such an exposure, he/she will take the following steps:

- The officer must contact his/her supervisor and prepare an Employee Occupational Disease or Injury Report (PA 360). The supervisor will complete Part II of the PA 360 Report and will also prepare a Supervisor's Investigation Report (i.e., handwritten memorandum). Consider such items as:
 - a. was the employee wearing protective equipment (gloves, mask, etc.)?
 - b. any tears or rips in gloves?
 - c. type of fluid exposed to?
 - d. stuck by needle or sharp object?
 - e. other pertinent details.

- In accordance with the OSHA Bloodborne Pathogen standard, "employees may temporarily and briefly decline to use personal protective equipment, when in their professional judgment its use will prevent the prompt delivery of medical care and/or pose an increased hazard to the safety of the employee(s) and/or patient(s)." Each such incident must be clearly documented on an Employee Occupational Disease or Injury Report (PA 360) and on the accompanying supervisor's handwritten report.
- Officers must report to the Port Authority Office of Medical Services immediately after exposure to bloodborne pathogens (fluids on open cuts and/or breaks in skin, or stuck by a sharp object). If the Office of Medical Services is closed, then the officer should respond to an appropriate health care facility for clinical evaluation. The officer should report to the Office of Medical Services on the next work day for follow up treatment and for timely serological testing. The officer has the option to refuse serological testing; such refusal will be documented by the Office of Medical Services in the officer's medical record.
- Any person responsible for potentially exposing an officer to a communicable disease will be encouraged to undergo testing to determine if the person has a communicable disease. Upon refusal of said individual to voluntarily undergo such testing, an application to compel such testing may be made to a court of competent jurisdiction. Information obtained by the affected officer, either by way of voluntary disclosure or court order, is confidential and cannot be disclosed by the officer.
- Officers who test positive for a communicable disease may continue working as long as they maintain an acceptable performance and do not pose a safety and health threat to themselves, the public, or members of the Department.
- The Department shall make all decisions concerning the employee's work status solely on the medical opinions and advice of the Office of Medical Services.
- The Department may require an employee to be examined by the Office of Medical Services to determine if he/she is able to perform his/her duties without hazard to himself/herself or others.
- All personnel shall treat employees who have contracted a communicable disease fairly, courteously, and with dignity.

RECORD KEEPING

- The department will maintain written records of all incidents involving employees who have potentially been exposed to a bloodborne pathogen while acting in the line of duty. The records shall be stored in a secured area with limited access, and maintained in conformance with applicable privacy laws.
- The Office of Medical Services will maintain each officer's medical records for the term of his/her employment plus 30 years (29 CFR 1910.20).

LEGAL ISSUES

Confidentiality of Medical Records

- Pursuant to federal and state law, medical records of all persons are confidential. This confidentiality of medical records extends to all prisoners.
- Confidential HIV-related information, as defined in NYS PHL Art. 27-F and NJSA 26:5C shall not be released except as delineated in the above laws.
- Medical staff is not permitted to release any information regarding the diagnosis of a person's medical condition without the permission of the affected individual, except as provided by law.

TRAINING REQUIREMENTS

- Training will be conducted in accordance with OSHA Standard 29 CFR 1910.1030 section (g).

SOURCES

Sources for this Police Operations Instruction included, but were not limited to, the following:

- HIV/AIDS Community Correction/Law Enforcement Staff Development Project, NYS Commission of Corrections
- A Curriculum Guide for Public-Safety and Emergency Response Workers, U.S. Department of Health & Human Services, PHS/CDC/NIOSH
- AIDS and the Law Enforcement Officer: Concerns and Policy Responses, National Institute of Justice, June 1987

Formerly

Subject: Exposure Control Plan: Bloodborne Pathogens

P.O.I. 5-12

Issued February 11, 1994

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Revised:

Effective: March 4, 1994

- 29 CFR 1910.1030 Bloodborne Pathogens Rule, OSHA
- NFPA 1518, Fire Department Infection Control Program, 1991
- Evidence Manual, New Jersey State Police
- NJSA 26:5C-8
- NYS PHL Art. 27-F

APPROVAL

This Police Operations Instruction was approved by the following Port Authority Departments:

- Public Safety Office of Medical Services
- Public Safety Law Department
- Public Safety Risk Management
- Public Safety Office of Environmental Policy and Management

By order of:



Director, Public Safety Department
Superintendent of Police

Formerly



POLICE OPERATIONS MANUAL

CRIME SCENE

PURPOSE:

To define the responsibilities of members of the force at a crime scene and to assure the preservation of the scene and evidence.

POLICY:

It is the policy of this department that the ranking police official, after conferring with milts on the scene, will determine if a crime scene will be established.

PROCEDURE:

The first member(s) to arrive at a scene must recognize the importance of securing the crime scene. There is often an urge by the officer to take action which can lead to the disruption of the scene and destruction of evidence by untrained police personnel. While responding to a dispatch which may involve a crime scene, the officer(s) must become scene conscious. Once at the scene, the officer will ensure:

- His or her personal safety. Use of protective clothing is to be considered when the environment of the scene is in question.
- Aid and identify the injured. When medical personnel arrive before police units, the first officer on the scene will obtain their identification and determine if anything was touched or moved.
- Arrest the perpetrator if present.
- Limit access to necessary authorized personnel ONLY regardless of rank.
- Protect and preserve the crime scene for the Criminal Investigations Bureau (CM) or local jurisdiction.
- Follow the instructions of the first member of the Criminal Investigations Bureau (CIB) to respond.

Formerly

Subject: Crime Scene

P.O.I. 5-13

Issued November 10, 1995

Page 2 of 6

Revised:

Effective: November 24, 1995

- Isolate and obtain pertinent information regarding witnesses.
- Relay pertinent information to Police Desk for dispatch (description of suspect, vehicle etc.)
- Clear the scene of all unauthorized personnel.
- Prevent the removal of any evidence, or the re-arrangement of the scene by unauthorized personnel.
- Record the original position/condition of any object moved or touched by the responding units.
- Report all information gathered by the fast units on the scene to the detective unit upon their arrival.

CONDUCT TO AVOID

Conduct of personnel at a crime scene can impact greatly on the outcome of the investigation. There can be an overwhelming urge to act, the officer must realize that all of their actions impact on the crime scene. Therefore, he/she must not touch or move anything unnecessarily. Conduct to be avoided includes, but is not limited to:

- Using telephone at scene.
- Touching or removing evidence unless the possibility exists for its loss. This will eliminate the officer's prints being found on evidence.
- Using the toilet.
- Allowing unauthorized personnel to the scene, this includes police officers not directly involved in the scene or investigation.
- Attempting to fit a tool found at the scene into an impression.
- Using the crime scene as a command center.
- Smoking, eating, drinking, or other personal habits which can contaminate the scene.
- Searching or moving a body once it is determined the person is deceased.
- Unnecessarily touching or moving anything at the scene.

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Subject: Crime Scene

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Page 3 of 6

Revised:

Effective: November 24, 1995

RESPONSIBILITIES OF THE TOUR COMMANDER

Upon notification of an occurrence of a serious crime, the Tour Commander will supervise the implementation of the measures outlined in this procedure. The Tour Commander, subject to policy, will determine if a Criminal Investigations Bureau response is required. The Tour Commander may consult with the Commanding Officer and/or the detective supervisor to aid in this determination. The responsibilities of the Tour Commander include but are not limited to the following:

- Establish command post outside the crime scene, if applicable
- Establish & maintain inner and outer security perimeters.
- Ensure a crime scene log is established by field units responding to the scene.
- Assign personnel to obtain names, shield numbers, and department names of all authorized persons entering crime scene.
- Secure the scene for further investigation, if necessary.
- Assign personnel to escort victims to hospital.
- Record and establish the chain of custody on collection, release, and transportation of evidence.
- Assign additional unit(s) to assist in collecting information which may not be available when investigator arrives, i.e., witnesses, vehicle plates, etc.
- Establish a news media area in the outer perimeter and assign personnel.
- Ensure notifications are conducted.
- Relinquish authority of the scene to the CIB supervisor and be guided by the advice of the first arriving member to respond to the scene.
- Provide command support to CIB units by deploying uniformed members to specific tasks and by securing services and equipment.
- Schedule security for the scene based on need and available resources.

Police lines should be established to prevent persons from entering the area of a serious police incident or crime scene: All requests from non-police units/personnel will be referred to the Tour Commander or senior ranking police official on the scene.

Formerly

RESPONSIBILITIES OF DESK PERSONNEL

Responsibilities of desk personnel include, but are not limited to, the following:

- Maintain chronological log of events.
- Obtain the address and exact location of scene.
- Ascertain if there is a need for medical assistance. Ascertain type of crime committed.
- Obtain name of hospital that injured/deceased were removed to.
- Make notifications.

DESK NOTIFICATIONS

The following notifications will be made by desk personnel at the request of the Tour Commander or CIB investigator:

- Central Police Desk.
- Commanding Officer.
- Emergency Medical Service (EMS).
- Local police department unit, when applicable:
 - Homicide
 - Rape
 - Major robbery, hijacking, or burglary.
 - Assault with the possibility of death.
 - All shooting incidents.
 - Death of any person while in police custody.
 - Any death that may reasonably have resulted from other than natural causes.
- Medical Examiner's office, when involving death.
- Clergy, if applicable.

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- Manager of facility, at the request of the Tour Commander.
- Public affairs, at the request of the Tour Commander.
- Keep Tour Commander and scene personnel advised of updates:
- Secure the facility tape recording at the request of the Tour Commander or CIB investigator.

NOTE:

When receiving a call relating to a serious crime, desk personnel; should be aware that the caller could possibly be the perpetrator. Therefore, desk personnel will attempt to keep the caller on the line until an officer arrives at the scene.

RESPONSIBILITIES OF CRIMINAL INVESTIGATIONS BUREAU (CIB)

CIB units will be contacted whenever a crime scene is established. In the event CIB units are not available at the facility where a crime scene has been established, the Central Police Desk (CPD) will be notified. The CPD will contact CIB Supervisors for assignment of units from mother command. Responsibilities include, but are not limited to:

- Assume control of scene and investigation after conferring with supervisor on the scene.
- Conduct systematic search of scene. Preserve the evidence.
- Tag physical evidence and/or body, if applicable. Place evidence in proper receptacle.
- Preserve perishable evidence first.
- Photograph crime scene (still, video, film).
- Sketch crime scene.
- Record all items removed and position removed from.
- Correct individual deficiencies in conduct and handling of evidence which comes to their attention.
- Notify the Tour Commander if the scene requires an extended period of security.
- Determine if a warrant is necessary to conduct a further search of the crime scene at present or at future date. This will assist in scheduling manpower.

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- Obtain information for follow-up investigation from police personnel, witnesses, etc.
- Review all reports submitted to ensure complete and proper handling of the case.
- Keep Tour Commander advised of events.

AUTHORIZED PERSONNEL

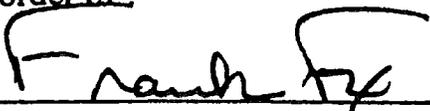
No one shall be allowed to enter a crime scene unless properly authorized. Only those persons directly involved with the scene or investigation will be considered authorized. All other entries must receive the authorizations of the Tour Commander or scene supervisor. Entry to the crime scene is limited to the following unless otherwise authorized:

- First responder and units assigned to perform specific tasks.
- CM investigator
- Emergency medical personnel.
- Representative of District Attorney's Office.
- Medical examiner.
- Other police agencies which have a direct interest.
- Fire Department, if applicable.

NEWS MEDIA

News media personnel do not have the authority to enter a crime scene or an area that has been secured to preserve evidence or at any location which may jeopardize police operations. However, news personnel will be permitted into the outer perimeter and/or the immediate scene with authorization from the Tour Commander and provided they are in possession of proper press credentials.

By order of:



Acting Superintendent of Police
Public Safety Department

Formerly

To: All Members of the Force



INTERIM ORDER

Purpose: To establish guidelines for the Port Authority K-9 Explosive Detection Team (K-9 EDT).

Reference: PDI 4-6 Bomb Threat Procedure, all Commands AMOF #23-97 Dated April 4, 1997

Definitions: K-9 EDT

A team trained to detect explosives consist police canine.

FAA Certified-Explosive Detection-Team

A K-9 EDT which has been certified for explosive detection by the Federal Aviation Administration National Program Manager or designee.

Incident Commander

The Tour Commander assumes the title of Incident Commander, and is directly responsible for any incident, simple or complex, including the establishment of a Command Post, which provides for the coordination of Port Authority and non-Port Authority units at the scene of an emergency. All non-Port Authority units will have representative's report to the Port Authority Police Command Post.

Designated Airports

Any Port Authority Airport that has been designated by the- Federal Aviation Administration's (FAA) National Program Manager based on programmatic needs.

Suspicious Packages/Suitcases

As described in PDI 4-6 (see attachment)

To: All Members of the Force

Policy: The K-9 unit will be available, whenever possible, to conduct all searches for explosive devices on Port Authority Facilities in accordance with PDI 4-6. Additionally, an EDT may assist in the pre-screening of an area to be used for a VIP movement, any special function to which there is believed to be a risk of an explosive device being sequestered, for general explosive detection patrol, and to the extent possible, assist other jurisdictions. Designated airports will have first priority for the response of an FAA certified EDT in accordance with the Port Authority's agreement with the Federal Aviation Administration

I. PROCEDURE K-9 Utilization

A. EDT Deployment

- Teams will be assigned to the Central Police Pool (CPP), and will receive their assignments on a daily basis from the CPP supervisor.
- In the event of an emergency, the Tour Commander of a facility in need of a K-9 EDT, at which a team had not been assigned for that tour, should notify the CPD and request an available team. Upon receiving a request from the CPD, the sending Tour Commander will reassign a K-9 EDT to the requesting facility. The responding EDT Officer will report to the Incident Commander upon his/her arrival, and will perform whatever duties are assigned to that officer, by the Incident Commander until the incident is clear.

B. EDT Duties:

- conduct bomb searches when a threat is received
- provide security for dignitaries passing through Port Authority facilities
- patrol facilities, including but not limited to cargo areas, terminals, parking lots, aeronautical areas, etc.
- conduct community and public relations demonstrations

To: All Members of the Force

- participate in proficiency training, within the view of the public when possible.
- At the completion of an assignment, i.e., bomb search, V.I.P. screening, assisting other jurisdictions, etc., the EDT officer will immediately complete a "Port Authority Police of NY & NJ Canine Unit Request/Utilization Form", stating the disposition of the assignment, and fax that form to the CPD. (Original will be submitted to Tour Commander for review and signature, then sent to CPD)
- complete training and other appropriate reports, and forwarding those reports to the K-9 Sergeant.
- instill public confidence in the safety of the airport environment
- other duties as required by the Tour Commander

Note - the EDT WILL NOT be called upon to examine any package or suitcase deemed suspicious, consistent with PDI 4-6.

C. EDT Capabilities

- EDT K-9's are certified to detect the odor of twenty-two (22) chemical compounds, which may be used in over two- thousand explosive substances. These include:
 - i. Military/commercial explosives
 - ii. Discharged Weapons
 - iii. Fireworks

D. K-9 Sergeant's. Duties

- ensure adherence to criteria, schedule, and conduct in-service training.
- maintain all training records, and will make these records available to the FAA where applicable.
- prepare and maintain all applicable reports, i.e., veterinary records, bite reports, activity records, etc. (daily, monthly, annually).

To: All Members of the Force

- maintain the inventory of explosives, including the storage, required documentation, records, transportation and disposal of such explosives, consistent with ATF regulations.
- with the approval of the Chief of Department, coordinate community and public relations events pertaining to the EDT.
- conduct field inspections to ensure proper standards for
- handling and sheltering of K-9's

II. Responsibilities of EDT-

- A. After the decision has been made by the Incident Commander to utilize an EDT to conduct a search for an explosive device, the EDT Officer at the scene is to assume control of that search utilizing methods consistent with the training received by the officer. Upon completion of the search, the EDT Officer will notify the Incident Commander of the results of the search.
- B. The Incident Commander will rely on the experience and expertise of the K-9 Officer as far as the actual search operation is concerned. The Incident Commander will then utilize the information provided by the EDT, in conjunction with all other pertinent information, in determining the next course of action.

Note - As with any incident, the overall command of the scene will rest with the Incident Commander.

By order of:



Fred V. Morrone
Director, Public Safety Department
Superintendent of Police

To: All Members of the Force

K - 9 EXPLOSIVE DETECTION TEAM PROGRAM

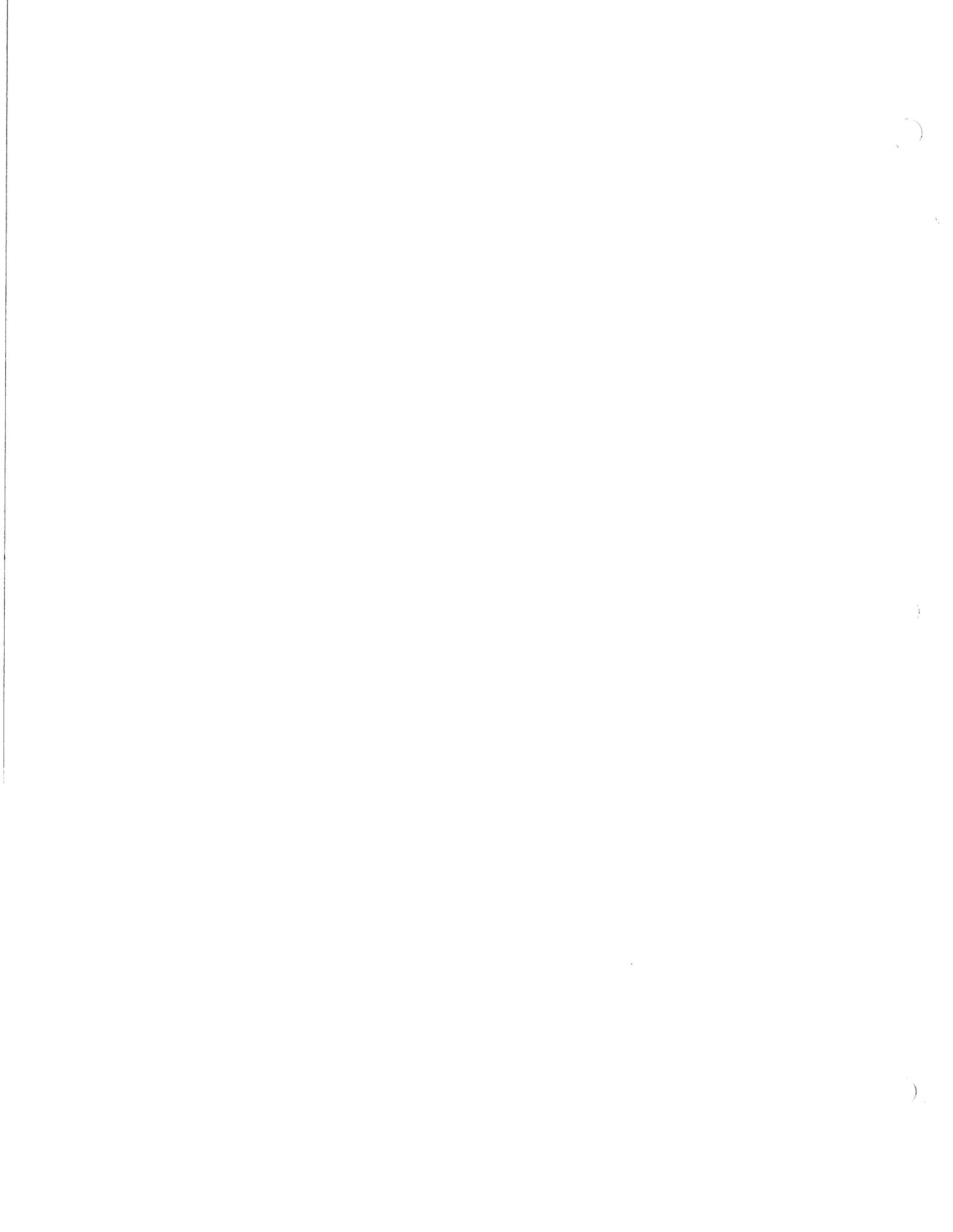
MISSION STATEMENT

Purpose:

The purpose of this document is to define the role of the Port Authority's K-9 Explosives Detection Team (EDT).

Policy:

This program was established to aid in the search and detection of explosive materials when a threat has been received by a Port Authority Facility, whether that threat was general or specific in nature. Additionally, an EDT may assist in the pre-screening of an area to be used for a VIP movement, any special function to which there is believed to be a risk of an explosive device being sequestered, for general explosive detection patrol, and to assist other jurisdictions when available. The teams, with emphasis on the airports and to the extent possible, will provide constant monitoring of Port Authority facilities, thus providing the public with additional protection against a potential terrorist threat and enhancing the public's confidence in the safety of air travel. All of the Explosive Detection Teams, where practical, will be certified by the Federal Aviation Administration (FAA), and thereafter, the designated airport (s) will have first priority on response of the EDT, when called upon for a specific threat. Each team will be required to receive an adequate amount of proficiency training per week, and is to provide documentation of that training to the FAA, where applicable. Finally, the teams will not be called upon to examine suspicious packages or suitcases.





INTERIM ORDER

I. PURPOSE:

The purpose of this order is to establish guidelines for the issuance of Warning Notices to motorists who commit certain motor vehicle violations within our jurisdictions. Police Officers have discretion to issue a warning notice, in lieu of a motor vehicle summons, in certain instances, for motor vehicle offenses. Appendix II of this instruction enumerates violations for which a warning should not be issued. Officers are advised that when a motorist commits a violation listed in Appendix II in New Jersey or New York, the appropriate enforcement action is to issue a summons, or arrest the violator as the circumstances dictate.

II. POLICY:

It shall be the policy of the Public Safety Department to allow police personnel to issue a warning for certain violations of the New Jersey Motor Vehicle Code Title 39, New York State Vehicle and Traffic Law and violations of Chapter 192 of the Laws of 1950 and Chapter 239 of the Laws of 1951, as they pertain to Port Authority facilities. The warning system shall be used to monitor traffic flow; track patterns of offenses; and the types of violations being committed at our facilities. This procedure will aid the commands in establishing enforcement models to correct dangerous situations and to better control the flow of traffic, ensuring the safe passage of the traveling public.

III. PROCEDURE

- A. Warning Notices may be issued by a Port Authority Police Officer at his/her discretion as a result of certain motor vehicle and traffic law violations. In addition, the following will be adhered to:
1. The motorist will be issued the bottom copy of the Warning Notice.
 2. Warnings will NOT be issued for violations, which result in a motor vehicle accident.
 3. Warnings will be issued to the operator only.

4. Only ONE Warning Notice will be issued to a violator.
5. A summons can be issued in conjunction with a Warning Notice if the violation for the summons has been determined after the vehicle has been stopped; i.e., driving while suspended, unlicensed, driving while intoxicated, expired registration, no insurance, etc.
6. NOTE: Warnings will NOT be issued for those violations as enumerated in Appendix II.

B. The following information will be required when issuing a Motor Vehicle Violation Warning Notice: (Refer to Appendix I.)

1. Name of the violator - self-explanatory.
2. Driver's license number - insert full number and state. If driver's license number is not available, insert full address.
3. Registration - full plate number and state.
4. Make of vehicle and year - self-explanatory. Use the appropriate abbreviations, if necessary.
5. Offense - check the appropriate state law box and use the applicable statute number.
6. Day, month, year and time - use numerals, as applicable.
7. Offense - brief narrative.
8. Signature and shield number - self-explanatory.
9. Print name and employee number - self-explanatory.

IV. DISTRIBUTION:

Distribution of Warning Notices will be as prescribed below.

A. Headquarters:

Upon request, the Police Headquarters Equipment Sergeant shall distribute the Warning Notices to the various facilities. The Police Headquarters Equipment Sergeant shall maintain a log of printed Warning Notices; maintain records and receipts including the endorsed receipts by facility Commanding Officers or his/her designee.

To: All Members of the Force

B. Commands:

Commanding Officers shall be responsible for the administration and distribution of the Warning Notices to their personnel. Warning Notices shall be safeguarded, logged and distributed by the facility Commanding Officer or designated staff personnel, in a like manner, just as the universal summonses and Hack Complaints are stored, recorded and distributed.

V. RECORDS MANAGEMENT

Distribution of Warning Notice copies will be issued and maintained as follows:

- A. Motorist: The motorist will be issued the bottom copy of the Warning Notice.
- B. Command: The original Warning Notice will be filed at the command, chronologically, and held for sixty (60) months, just as motor vehicle summons copies are filed with the Records Retention Unit.
- C. Police Officer: Issuing Police Officers will retain one copy for his/her own records.

VI. QUALITY CONTROL

Quality control will be the responsibility of all Commanding Officers and their staff. In order to maintain a high level of integrity, the steps outlined below will be followed.

- A. Commanding Officers and/or their designated staff are responsible for the integrity of the Warning Notice Program.
 - 1. The Warning Notices shall be treated as Summonses.
 - 2. Any Warning Notices issued in conjunction with a summons will be attached to the facility copy of the summons at the end of the police officer's tour. The supervisor will determine if the Warning Notice was issued properly as outlined in the Section III of this Interim Order. In the event the Warning Notice is found to have been improperly issued, the Command will take the necessary steps to correct errors.
 - 3. Commanding Officers Monthly Reports will reflect the total number of Warning Notices issued at their respective command.

Subject: Motor Vehicle Violation Warning Program

I.O. 1-98

Date: 01/30/98

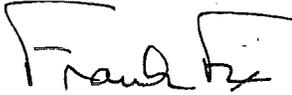
Page 4 of 7

To: All Members of the Force

- B. Off-Hours Field Inspections personnel will randomly select and review Warning Notices during each facility inspection.
- C. Periodic audits will be conducted, which may include contact with the recipients of Motor Vehicle Violation Warning Notices.

This Interim Order shall remain in effect until such time that a Police Operations Instruction (POI) is published concerning Warning Notices.

By order of:



Frank Fox
Chief of Department

PORT AUTHORITY of NY & NJ
 PORT AUTHORITY POLICE
 ONE PATH PLAZA, 2ND FLOOR
 JERSEY CITY, NJ 07306



**MOTOR VEHICLE VIOLATION
 WARNING**

123456

FIRST NAME		INITIAL	LAST NAME	
DRIVER LICENSE NUMBER				
VEHICLE INFORMATION				
PLATE NUMBER	STATE		EXPIRATION	
MAKE	YEAR		MODEL	
VIOLATION INFORMATION				
OFFENSE		CHAP SEC		
TITLE 39: <input type="checkbox"/>				
VTL: <input type="checkbox"/>				
LAWS OF NEW JERSEY				
CHAPTER		OF	SEC.	
DATE	TIME		<input type="checkbox"/> AM	<input type="checkbox"/> PM
YOU ARE HEREBY WARNED FOR VIOLATING A SAFETY PRINCIPLE THE OFFENSE BEING				
SIGNATURE			SHIELD NUMBER	
PRINT NAME			EMPLOYEE NUMBER	

APPENDIX II

Attention and priority in enforcement should be given to the following hazardous violations, which are the major causes of accidents resulting in death, serious injury and property damage. Police Officers observing the following violations may take the appropriate enforcement action, i.e., issue a summons and/or arrest the violator. With most other violations, police officers may use their discretion and issue a Warning Notice. Officers may take the appropriate enforcement action if the circumstances warrant the same.

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| 1) Failure To Yield Right Of Way NJSA 39:4-90, NJSA 39:4-91 VTL 1140 to 1146, 1151, 1153 and 1173 | 9) Unsafe Backing NJSA 39:4-127 VTL 1211 |
| 2) Following Too Close NJSA 39:4-89 VTL 1129 | 10) Failure To Keep Right VTL 1120(a) <u>New York Only</u> |
| 3) Speeding NJSA 39:4-98 VTL 1180(a) | 11) Driving While Intoxicated and/or Under The Influence Of Drugs NJSA 39:4-50, NJSA 39:4-49.1 VTL 510, 1192 |
| 4) Improper Turns NJSA 39:4-115 VTL 1160, 1163 | 12) Defective Brakes NJSA 39:3-67, NJSA 39:3-68 VTL 382, 382-a and 382-b |
| 5) Reckless Driving NJSA 39:4-96 VTL 1212 | 13) Unlicensed Operators/ Suspended Drivers NJSA 39:3-10, NJSA 39:3-40 VTL 501, 502 and 511 |
| 6) Failure To Obey Traffic Signals and Signs NJSA 39:4-81, NJSA 39:4-120.9 and NJSA 39:4-125 (U-turns) VTL 1110, 1111 and 1161 (U-turns) | 14) Insurance Violations NJSA 39:6B-2 VTL 312,318 |
| 7) Improper Passing NJSA 39:4-85, NJSA 39:4-86 VTL 1120, 1121, 1122 and 1123 | 15) Leaving the Scene of an Accident NJSA 39:4-129 VTL 600 |

- 8) Failure To Yield Right Of Way To Pedestrians
NJSA 39:4-32 through NJSA 39:437.1 VTL 1151

To: All Members of the Force



INTERIM ORDER

I. Purpose:

The purpose of this policy is to provide guidelines to all police personnel for the processing of incidents involving persons onboard flights arriving at or departing from Port Authority airports.

II. Policy:

It is the policy of the Port Authority Police that all crimes/violations alleged, and/or committed while onboard an aircraft be processed in a manner consistent with Federal and State laws.

III. Legal References:

- A. NYSCPL: 22.20
- B. NJSA: 2C: 1-3 (Territorial Applicability)
- C. 49 U.S.C. Chap. 465

IV. Procedure:

- A. Upon notification to the police desk of an incident onboard an aircraft or vehicle, the Tour Commander shall be notified immediately.
- B. The Tour Commander, or his designee, shall contact the local office of the F.B.I. or other agencies where the crime, disorderly persons offense or offenses, violation or violations occurred and notify them of the incident.
- C. The Tour Commander, or his designee, shall respond to the incident location and ascertain as much information as possible, to include the following:
 - 1. Name and flight number of the airline or vehicle
 - 2. Exact location where the incident or incidents took place
 - 3. All information necessary to establish probable cause
 - 4. Location of the departure point

5. Name and address of the flight crew
6. Name and address of all complainants
7. Name and address of all credible witnesses
8. List of charges that are alleged/committed during the incident
9. Secure any evidence involved in the incident, including the tape from the cockpit voice recorder; applicable tower tapes and all tapes maintained by the Port Authority Police Command concerning the incident
10. Secure any investigative statements from all credible witnesses, complainants and flight crew

D. Once a supervisor has ascertained as much information as necessary, the Tour Commander shall establish if:

1. jurisdiction is present to proceed,
2. probable cause has been established,
3. all credible complainants and witnesses are willing to proceed, and
4. if an arrest can be made

NOTE: If an incident involves a disorderly person offense in New Jersey, refer to 2A: 169.3. If the incident involves a petty offense (violation) in New York refer to CPL 140.10 Sub 2.

E. The Tour Commander, or his designee, shall contact the local office of the F.B.I., or any other law enforcement agency, or agencies where the crime or crimes occurred and notify them of the additional information obtained regarding the incident. The Tour Commander shall ascertain from the F.B.I. or other agencies, if they will exercise jurisdiction over the incident and make an arrest (if applicable).

NOTE: "Federal special aircraft jurisdiction" exists when an aircraft is in flight. An aircraft is considered in flight when all external doors are closed following boarding until the moment when one external door is opened to allow passengers to leave the aircraft.

F. If the F.B.I. or other agencies, exercise jurisdiction over the incident, the Tour Commander or his designee shall take further action as directed by the F.B.I. or other agency exercising jurisdiction.

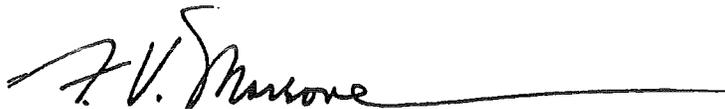
NOTE: Prior to the release of any persons in the custody of the F.B.I. or other agencies, the Tour Commander shall follow the procedure in Sub. G.

1. If the F.B.I. or other agencies decline prosecution and (a) the Tour Commander has established that the incident occurred on Port Authority property, (b) all the elements in Para. D have been established, the Tour Commander shall notify the local prosecutor and, with his/her approval, the Tour Commander may make an arrest.
2. If the F.B.I. or other agencies decline prosecution and (a) the incident occurred outside of Port Authority jurisdiction; or (b) one or more of the elements in Para. D are missing, the Tour Commander shall notify the local prosecutor and, upon his approval, refer all parties to criminal or civil court.

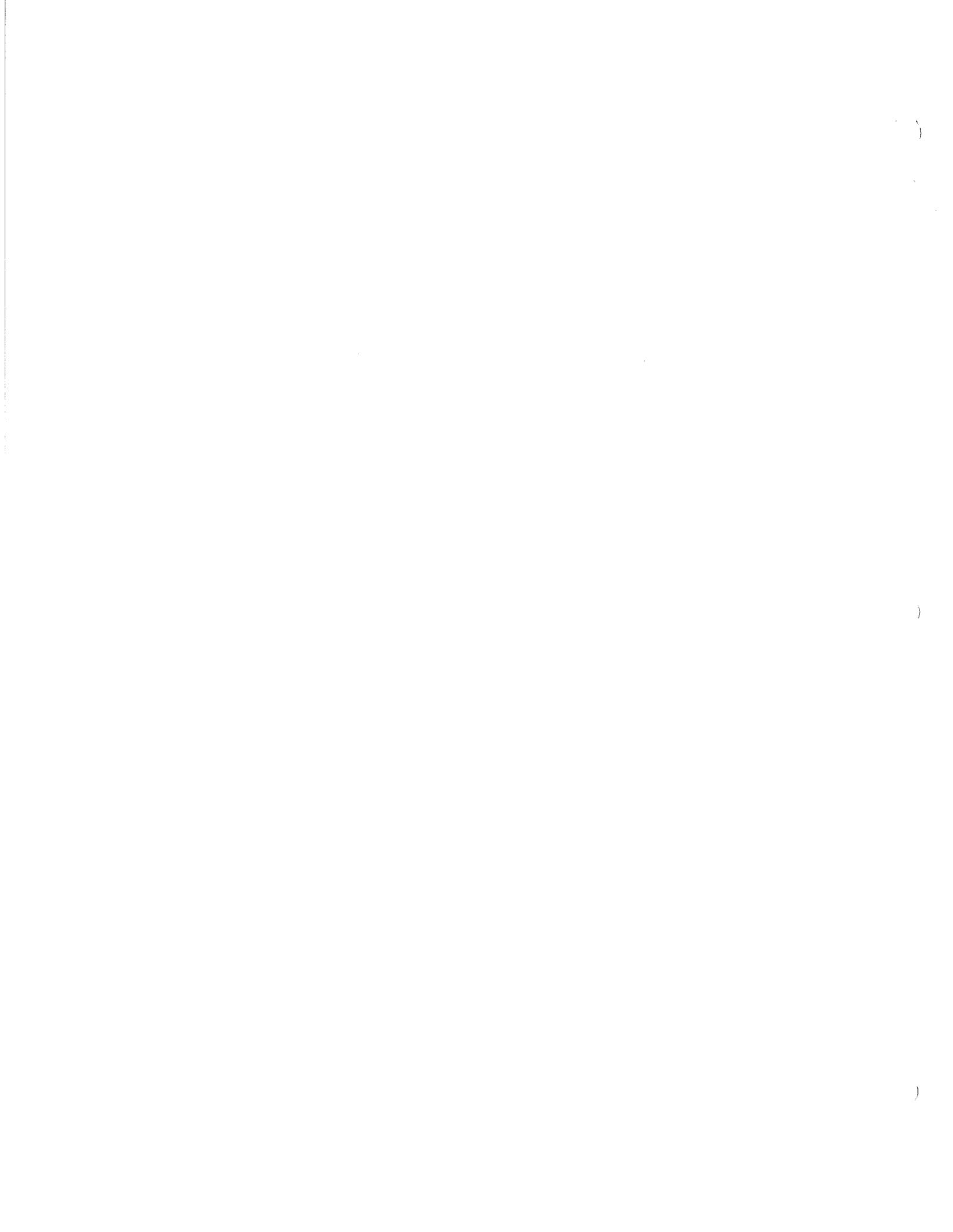
G. The supervisor shall insure that all necessary documentation is completed to include the following:

1. NCIR or,
2. CCR or,
3. All arrest and court paperwork and,
4. FAR Violations Report

By order of:



Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



To: All Members of the Force



INTERIM ORDER

I. PURPOSE:

The purpose of this Interim Order is to establish a standardized method of incorporating Bicycle Patrol into the traditional Patrol Function of Motor Patrols and Foot Patrols.

II. POLICY:

The policy of this department shall be that Bicycle Patrol will be incorporated with the existing Patrol Function methods utilized by the Department. Aeronautical Areas, However, Are Prohibited. All Bicycle Patrol Functions will be carried out as set forth in this policy. Bicycle Patrol will only be performed by officers who have completed an approved Bicycle Patrol course and have been certified to operate a bicycle. In addition, assignment to Bicycle Patrol will be based on the standards set forth by the Director, Public Safety Department/Superintendent of Police.

III. PROCEDURE:

Chief of Field Aviation Section and Chief of Surface Transportation shall be the Senior Staff Officers responsible for administering this initiative. Commanding Officers, however, shall have ultimate responsibility for deployment and management of the Bicycle Patrol Function.

A. Selection Process:

All training opportunities shall be bulletinized by the Police Academy Commanding Officer. Standards set forth herein must be met in order to be selected for the training. Members of the Department requesting Bicycle Patrol Training shall submit a written request to their Commanding Officer.

1. In their request, members of the uniform force shall include the following information:
 - a. name
 - b. employee number

- c. shield number
- d. date of appointment

2. Minimum Standards for selection:

- a. job performance
- b. attendance
- c. clearance by the Office of Medical Services
- d. successful completion of a physical agility test as prescribed by the standards set forth by the Director, Public Safety Department/Superintendent of Police

IV. DUTIES, RESPONSIBILITIES, OPERATION AND SUPERVISION:

A. Duties:

- 1. As with any other Patrol Function, Members of the Force shall maintain a high visibility while assigned to Bicycle Patrol.
- 2. All duties now performed by Radio Motor Patrols and/or Foot Patrols may also be performed by Bicycle Patrol. These include, but are not limited to, crimes in progress, auto thefts in progress, medical aided calls, traffic control conditions, providing back-up for other officers, report preparation, and enforcement of criminal and vehicle traffic laws of New York and New Jersey.

B. Responsibilities:

All Members of the Force assigned to Bicycle Patrol shall adhere to all existing traffic laws and regulations. Port Authority Instructions covering the use of vehicles and equipment shall also be adhered to. Refer to PAI 15-3.02 (attached). In addition, Bicycle Patrol Officers will be responsible for the following:

- 1. Have intricate knowledge of the nomenclature of the bicycle he/she is operating.
- 2. Have a working knowledge of making minor on-sight repairs.
- 3. Complete a Bicycle Patrol Activity Report at the end of every tour of duty and submit same to tour commander.

C. Operation:

The following shall be adhered to when operating a bicycle:

1. Bicycle Patrol shall be suspended during inclement weather (i.e., rain, snow, sleet, ice, etc.)
2. During times of darkness, the headlamps and rear lamps shall be illuminated, unless it becomes advantageous for a particular mission (i.e., surveillance).
3. Prudent speeds shall be observed at all times, especially in areas congested by pedestrian traffic.
4. The audible signal device shall be utilized at all times when passing pedestrians, motor vehicles, and/or while attempting to attract the attention of others for any legitimate reason.
5. High-speed pursuit become imminent, the pursuit shall be deferred to Radio Motor Patrol.

D. Patrol Areas:

Bicycle Patrol shall only be performed in the following areas or other locations as designated by the Tour Commander:

1. Parking Lots.
2. Terminal Frontages.
3. Airport Terminal Roads.
4. Bridge Walkways.
5. City streets, where applicable

E. Maintenance:

All Bicycle Patrol Officers shall perform routine maintenance of their bicycle as outlined in this section.

1. Lubricate exposed mechanical parts (i.e., chain).
2. Replace damaged or ruptured inner tubes.
3. Wash the bicycle periodically, especially when soiled by mud.
4. Replace brake pads as required.

F. Supervision:

Each Commanding Officer shall designate a supervisor to coordinate and supervise the overall operations of the Bicycle Patrol Unit. The supervisor shall be responsible for, but not limited to, maintaining bicycle serial numbers, preparing monthly reports, and providing periodic refresher sessions. In addition, periodic functional inspections are to be performed and recorded in a Record Log to be maintained at every command operating a Bicycle Patrol. Supervision of Bicycle Patrol shall be the responsibility of the sergeant under the direction of the duty Tour Commander. Supervisors shall ensure that the following conditions are met:

1. Aviation Unit Supervisors must ensure that the officers assigned bicycle patrol are not assigned to an aircraft emergency response post.
2. Ensure that officers are in the prescribed uniform to perform bicycle patrol.
3. Ensure that officers have all the necessary equipment.
4. Ensure that the bicycle is in proper working order.
5. Maintenance records shall include reported bicycle malfunctions, repairs and preventative maintenance and other related items.

V. UNIFORM AND ACCESSORIES:

Uniform and accessories shall be as prescribed as delineated herein.

A. Summer uniform shall be as outlined below:

1. Navy blue bike shorts
2. Navy blue short sleeve shirt — shoulder patches on both sleeves
3. Navy blue golf shirt with officer's shield embroidered on the left breast
4. Approved reflective bicycle helmet — Department logo on front portion of helmet and the word POLICE on either side of helmet
5. Black bike gloves
6. Black leather sneakers without lettering
7. Black tube socks without lettering
8. Gun belt and accessories made of nylon mesh type material

B. Fall/Spring uniform shall be as outlined below:

1. Navy blue Supplex bike pants
2. Navy blue short sleeve shirt — shoulder patches on both sleeves
3. Supplex all weather waist length jacket — shoulder patches on both sleeves
4. Approved reflective bicycle helmet — Department logo on front portion of helmet and the word POLICE on either side of helmet
5. Black bike gloves
6. Black leather sneakers without lettering
7. White tube socks without lettering
8. Gun belt and accessories made of nylon mesh type material

C. Winter Uniform shall be as outlined below:

1. Navy blue Ultra-Supplex pants
2. Navy blue long sleeve shirt — shoulder patches on both sleeves
3. All weather Supplex waist length jacket — shoulder patches on both sleeves
4. Approved reflective bicycle helmet — Department logo on front portion of helmet and the word POLICE on either side of helmet
5. Black bike gloves
6. Black leather sneakers without lettering
7. Black tube socks without lettering
8. Gun belt and accessories made of nylon mesh type material

VI. BICYCLE NOMENCLATURE ACCESSORIES, AND REPAIRS:

Patrol bicycle, accessories and repairs shall be as specified herein.

A. Construction: Lightweight 21 speed all terrain Mountain Bike with following features:

1. Front suspension shocks
2. Extended handle bars
3. Padded seat

4. Derailleur guard

B. Bicycle Accessories: Accessories for the patrol bicycle shall be as specified herein.

1. Bike rear rack
2. Bike bag
3. State of the art lighting system
4. Warning device
5. Reflectors
6. Kick stand
7. Air pump
8. Cycle computer (speedometer/odometer combination)
9. First aid kit
10. Spare inner tube
11. Tube repair kit
12. Wrenches as recommended
13. Water bottle rack and water bottle

C. Repairs: Bicycle repair procedures shall be as outlined below:

1. Major bicycle repairs shall be performed by an authorized bicycle repair dealer. These repairs are to be included, but are not limited to brakes, gears, and other moving or non-moving parts.
2. Tune-ups shall be performed by an authorized bicycle repair dealer and shall be scheduled twice a year or as recommended by the manufacturer.
3. Routine repairs will be performed by the officer assigned to the particular bicycle (i.e., lubricating chain, replacing or repairing ruptured tube(s), tightening any loose bolts or screws, etc.).

Subject: Bicycle Patrol

I.O. 2-00

Date: 03/21/00

Page 7 of 7

To: All Members of the Force

VII. PROCUREMENT:

Current Port Authority purchasing procedures shall be adhered to when procuring bicycles and accessories.

This Interim Order shall remain in effect until such time that a Police Operations Instruction (POI) is published concerning Bicycle Patrol.



By order of:

APPROVED BY THE OFFICE

for OF SUPT. OF POLICE

Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



INTERIM ORDER

I. PURPOSE:

The purpose of this Interim Order is to establish a standardized method of handling situations and/or incidents involving individuals who are categorized as enjoying Diplomatic Immunity.

II. POLICY

Recognizing that diplomatic relations are very important to the integrity of this country's foreign policy, it shall be the policy of this Department to adhere to all National and International Laws and Policies as they pertain to foreign nationals who claim Diplomatic Immunity because of their affiliation with a Foreign Mission. This fact notwithstanding, it shall be the policy of this Department to enforce all criminal and traffic laws necessary to maintain public safety. In addition, it shall also be the policy of this Department that in all instances where a question of diplomatic immunity arises (excluding minor traffic infractions), a supervisor shall respond to the scene immediately. Finally, it shall be the policy of the Department to make immediate notification (telephonic and written) to the Department of State when an incident involving a diplomat occurs.

III. DEFINITIONS:

The following are definitions that will assist Members of the Force when dealing with members of a Foreign Mission claiming Diplomatic Immunity.

Diplomatic Mission: The principal communications link between a sending country and a host country.

Diplomatic Agent: An ambassador or an official from a foreign country whose function is dealing with officials of the host country.

Administrative & Technical Staff Member: Administrative and Technical Staff are office support personnel (i.e., office managers, secretaries, certain clerical staff) and certain security personnel.

Service Staff Member:	Service Staff personnel are those who provide essential every day life services (i.e., drivers, cleaning building and grounds).
Consulate:	Consulates provide a variety of services to the sending country's representatives (i.e., issuance of travel documents, providing assistance to countrymen, etc.) In addition, consulates also promote commerce for their country.
Consulate Officer:	A recognized member of a consular post who is authorized to perform an array of consular functions.
Consular Employee:	An individual who performs administrative and technical services for a consular post.
Consular Service Staff:	Service Staff personnel are those who provide essential everyday life services (i.e., drivers, cleaning, buildings and grounds).
Honorary Consul:	Consular officer, also referred to as "career consular officer," is one who is an accredited full-time practitioner of consular functions. These individuals travel from post to post on special project assignments.
National:	A staff member of a mission who is a citizen of a sending country or third country (i.e., United States, United Kingdom).
Permanent Resident:	A staff member of a mission who is a permanent resident of a host country
Special Bilateral Agreement:	An agreement the United States concludes with another country, which grants all members of its respective embassy privileges and immunities to which diplomatic agents are ordinarily entitled to.
Inviolability:	When used in the context of Members of Diplomatic Missions, Consulates, and International Organizations, the term means that the individual cannot be arrested or detained.
Official Act:	An official function carried out on behalf of and for a mission, or consulate
Waiver:	A waiver of immunity may not be waived by the foreign national as the sending country is said be the "owner" of immunity.

Therefore, the sending country is the only one that can waive immunity in all cases.

Personal Non Grata: Term given to a person whose diplomatic immunity has been rescinded when it is believed that he/she has committed a criminal act. These individuals are given a reasonable amount of time to leave the country,

IV. LEVELS OF IMMUNITY FOR DIPLOMATIC MISSIONS, CONSULATES:

Members of Diplomatic Missions, and Consulates enjoy various levels of privileges and immunity depending on the post he/she holds in the respective organization.

Diplomatic Immunity levels are as specified below:

A. Diplomatic Missions:

1. Diplomatic Agents: Said person(s) and family members of his/her Household (up to age 21, or 23 if full-time students) enjoy complete immunity in the host country. This includes arrests, searches of the person, home and vehicle. Therefore, they cannot be prosecuted, notwithstanding the seriousness of the offense allegedly committed. In addition, they cannot be compelled to testify or provide evidence, even in the event that he/she is a victim. Moreover, they have immunity from civil litigation when it directly involves the missions.
2. Administrative & Technical Staff: Said person(s) and family member of his/her household (up to age 21 or 23 if full-time students) enjoy the same immunity and privileges as the diplomatic agents, with the exception of civil litigation. Civil litigation immunity is granted only when it involves the performance of their duties.
3. Service Staff: Said person(s) enjoy only privileges and immunity as related to official acts. Furthermore, they do not enjoy and privileges in terms of providing evidence or being witnesses. Their family members do not enjoy any type of inviolability privileges or immunity.
4. Nationals or Permanent Residents: Members and family members of diplomatic agents who are United States nationals or resident nationals do not enjoy any privileges or immunities. This exclusion also extends to administrative, technical staff, and members of the service staff.

B. Consulates.

1. Consular Officer: Said person(s) do not enjoy any inviolability except for an official act. When engaged in an official act, he/she will have full functional immunity or as it relates to his/her duties at the consulate post. However, they do not possess any immunity as it relates to civil litigation. Moreover, they may be arrested provided that the offense committed is a felony, and the arrest is made pursuant to an arrest warrant. Family members do not enjoy any type of privileges or immunity without a *special bilateral agreement*.
2. Consular Employee: Said person(s) do not enjoy inviolability or jurisdictional immunity of any kind except as related to an official act. Family members do not enjoy any type of inviolability or jurisdictional immunity.
3. Consular Service Staff: Said person(s) do not possess inviolability or jurisdictional immunity. However, they do possess immunity from providing evidence as it relates to the performance of an official act.
4. Nationals or Permanent Residents: Said person(s) do not possess any type of inviolability except as it relates to the performance of official acts.
5. Career Consular: Said person(s) operate as consular officers; however, they are moved around from assignment to assignment by the sending country and enjoy the same privileges as consular officers while operating in that capacity. Family members do not possess any privileges.
6. Honorary Consuls: Said person(s) only have personal inviolability in connection with official acts. Moreover, the arrest of said individuals is not limited to felonies nor does it require an arrest warrant. They do possess immunity from obligation to provide evidence as witnesses only as it relates to an official act. Family members do not possess any privileges.

V. LEVELS OF IMMUNITY FOR INTERNATIONAL ORGANIZATION PERSONNEL:

Just as members of Diplomatic Missions and Consulates enjoy various levels of privileges and immunity, members of the International Organization and personnel assigned to missions of that organization are provided with certain

privileges and immunities. The level of inviolability is dependent on the post he/she holds in the respective organization or mission. These levels are as specified herein:

- A. Personnel of International Organization: The Secretary General and all Assistant Secretaries-General of the United Nations are accorded the privileges and immunities enjoyed by Diplomatic Agents. (Refer to section IV subsection A for an explanation).
- B. Personnel of National Mission to the UN: Senior Executive members of the Organization of American States are accorded the privileges and immunities enjoyed by Diplomatic Agents as well. The remainder of their staff is accorded immunity for *official acts* only. However, they do not possess any personal inviolability (arrests can be effected or detention can be executed).
- C. Guests of Missions or Short-Term Employees: This type of person is not accorded any type of privileges or immunity nor does he/she possess personal inviolability.

VI. IDENTIFYING PERSONS ENTITLED TO PRIVILEGES OF IMMUNITIES:

To identify Foreign Nationals who enjoy privileges of immunity, the sending country will issue *diplomatic passports* to said persons. The Department of State, on the other hand, issues visas, license plates, driver's licenses, and identification cards to diplomats, consulates and their staff. It is very important to understand how to identify these forms of identification and discern them. Herein are all the forms of identification issued to these individuals: (Refer to APPENDIX "A")

C. Personal Identifications:

1. Diplomatic Passport: These passports are designated as "A" or "G". The designations relate to the type of visa he/she has been issued by United States authorities. A passport, however, is not an absolute indication that the bearer enjoys and types of privileges or immunities.
2. Diplomatic Identification Card: This card, issued by the Department State, Protocol Office, to diplomats and their families, is considered to be authoritative proof that the bearer *possible* enjoys privileges or immunities. The dimensions of the card are 3 3/4 x 2 1/2. On its face, the card has a blue border and is embossed with the Department of State hologram. In addition, it contains the following information: identification number, expiration date, bearer's date of birth, name, title,

mission, and location of mission. Finally, a photograph of the person it is issued to affix to the face of the card. The reverse side of the card contains information on the level of immunity the bearer enjoys and his/her signature.

3. Diplomatic Embassy Employees: This card, issued by the Department of State, Protocol Office, to embassy administrative and technical staff employees and their families, is considered to be authoritative proof that the bearer *possibly* enjoys privileges or immunities. The dimensions of the card are 3 3/4 x 2 1/2. On its face, the card has a green border and is embossed with the Department of State hologram. In addition, it contains the following information: identification number, expiration date, bearer's date of birth, name, title, mission, and location of mission. Finally, a photograph of the person it was issued to is affixed to the face of the card. The reverse side of the card contains information on the level of immunity the bearer enjoys and his/her signature.
4. Diplomatic Embassy Staff Employees: This card, issued by the Department of State, Protocol Office to embassy staff employees and is considered to be authoritative proof that the bearer *possible* enjoys *immunity for official acts only*. The dimensions of the card are 3 3/4 x 2 1/2. On its face, the card has a green border and is embossed with the Department of State hologram. In addition, it contains the following information: identification number, expiration date, bearer's date of birth, name, title, mission, and location of mission. Finally, a photograph of the person it was issued to, is affixed to the face of the card. The reverse side of the card contains information on the level of immunity the bearer enjoys and his/her signature.
5. Consular Officer: This card, issued by the Department of State, Protocol Office, to Consular Officers/employees and their families is considered to be authoritative proof that the bearer *possibly* enjoys *immunity for official acts only*. The dimensions of the card are 3 3/4 x 2 1/2. On its face, the card has a red border and is embossed with the Department of State hologram. In addition, it contains the following information: identification number, expiration date, bearer's date of birth, name, title, mission, and location of mission. Finally, a photograph of the person it was issued to, is affixed to the face of the card, the reverse side of the card contains information on the level of immunity, if any, the bearer enjoys and his/her signature.
6. Consular Officer: This card issued by the Department of State, Protocol

Office to Career Consular Officers/employees and is considered to be authoritative proof that the bearer *possibly* enjoys *immunity for official acts only*. The dimensions of the card are 3 3/4 x 2 1/2. On its face, the card has a red border and is embossed with the Department of State hologram. In addition, it contains the following information: identification number, expiration date, bearer's date of birth, name, title, mission, and location of mission. Finally, a photograph of the person it was issued to is affixed to the face of the card. The reverse side of the card contains information on the level of immunity, if any, the bearer enjoys and his/her signature.

D. Driver Licenses:

The Department of State, Office of Foreign Missions Diplomatic Motor Vehicle Office (OFM/DMV) is the sole issuing agency that can issue driver's licenses to foreign mission personnel and their families. Dependents who are under twenty-one (21) will receive a license indicating same, or one with a profile picture. All licenses, which are picture, are valid for five (5) years and replace the individual's foreign license. The foreign license is only valid for thirty days after arrival in the United States.

The *dimensions* of the driver's license are 3 3/8 x 2 1/8 with the laminate. License has a blue background with the US DOS hologram. UNITED STATES DEPARTMENT OF STATE is imprinted in blue. All other print is black, with the exception of the DOB, which red. (Refer to APPENDIX B).

E. Vehicle Registrations:

The Department of State, Office of Foreign Missions Diplomatic Motor Vehicle Office (OFM/DMV) is the sole issuing agency that can issue vehicle registrations to foreign mission personnel and their families. There are alpha codes utilized by the Department of State that generally reflect the degree of immunity accorded the registrant. The alpha codes will always prefix the numeric portion of the license plate. The codes are as specified here in: (Refer to APPENDIX C).

1. "D": This code indicates that the vehicle is registered to a diplomatic agent
2. "S": This code indicates that the vehicle is registered to an administrative or technical staff member of a diplomatic mission.
3. "C": This code indicates that the vehicle is registered to consular personnel. It is important to bear in mind that at times these vehicles

are used by diplomatic agents who enjoy full immunity privileges.

4. "A": This code indicates that the vehicle is an official vehicle registered to the Secretariats of the United Nations, the Organization of American States. This type of plate is also assigned to a vehicle owned by staff members of these organizations who enjoy diplomatic status.

Note: The letter can appear as prefix or a suffix.

- F. Tax Exempt Card: Tax exemption cards are issued by the Department of State as well. These cards, however, are not issued to all persons entitled to privileges and immunities, nor should they be used to establish identity or degree of immunity. (Refer to APPENDIX D).

NOTE: If doubt exists, all documents supplied by foreign missions personnel must be verified and confirmed via telephone with the United States Department of State prior taking any action. (Refer to APPENDIX "E")

VII. PROCEDURE:

Diplomatic Immunity does not exempt diplomatic personnel from conforming with national and local laws and/or regulations. Furthermore, Diplomatic Immunity is not intended for individuals to benefit from it. Rather, it is intended to facilitate and ensure that these individuals are able to perform their job efficiently and effectively. Therefore, the procedures delineated herein shall be followed when encountered with a situation(s) involving a person(s) claiming to enjoy diplomatic privileges and immunities.

A. Crimes

1. Felonies:

When in the course of responding to or investigating and apparent violation of criminal law, members of the force shall take steps delineated herein:

- a. A supervisor shall be requested immediately.
- b. Department of State (DOS) identification should immediately be requested.
- c. Should the individual be unable to produce identification, the individual is to be informed that he/she will be detained (within

reason) pending confirmation of identify with the DOS. This confirmation shall be accomplished by immediately contacting the appropriate Department of State Office.

- d. The following information shall be recorded as future documentation:
 - i Time telephone call is made (must be made from a taped line).
 - ii Telephone number using to place call.
 - iii Telephone number call is placed to.
 - iv Person(s) spoken to.
 - v Details of telephone conversation.
 - e. When identification is available and questions regarding an individual's status and/or immunity is uncertain, the Department of State shall be contacted immediately for verification and confirmation (follow all steps outlined in section 2). On the other hand, when proper identification is available and is found to be satisfactory, the individual's immunity shall be fully respected to the degree he/she is entitled. (Refer to definitions and APPENDIX "F").
 - f. Prepare the proper reports, including a Diplomatic Incident Report, and have same reviewed by a supervisor. Once reviewed by the supervisor, the reports are to be forwarded to the Commanding Officer. (Refer APPENDIX "G")
 - g. Commanding Officers shall review and furnish copies to the Department of State with a cover letter indicating the circumstances of the incident. In addition, all copies shall be forwarded to the Internal Affairs Bureau Commanding Officer, Civilian Complaint Investigations Unit Commanding Officer, and Chief, Police Professional Standards Section.
2. Misdemeanors:
Misdemeanors shall be handled in the same fashion felonies. Members of the force are reminded, however, that not all those enjoying diplomatic immunity enjoy inviolability as it pertains to misdemeanors: (Refer to definitions and APPENDIX "F"),

NOTE: Members of the force are reminded that they retain the fundamental responsibility to protect the public welfare. Thus, in circumstances where public safety is in imminent danger, or it is apparent that a serious crime may otherwise be committed, members of the force may to the extent necessary to halt such activity. This includes, but is not limited to, defending themselves from personal harm. In addition, members of the force are reminded that immediate notification to the DOS is imperative in order to document such circumstances to the DOS.

B. Traffic Offenses:

When in the course of enforcing traffic laws and regulations members of the force are reminded that Diplomatic Immunity does not extend to the enforcement of traffic laws, including Driving While Intoxicated (DWI). In DWI instances, however, although immunity may be invoked, members shall not allow the individual to drive the vehicle being operated. Vehicles belonging to or being driven by individuals who enjoy full immunity shall not be impounded nor searched. However, should the vehicle not have proper insurance and/or have confirmed fictitious plates, members of the force shall contact the DOS and be governed by their instructions. Members of the force shall follow the steps delineated herein:

1. Issue the summons(es) for the infraction
2. Record all pertinent information in his/her Memorandum Book
3. Report all infractions to the DOS utilizing the Diplomatic Traffic Incident Report. The report will contain a statement of the facts. In addition, a copy of the summons(es) issued shall be attached to the report.
4. In cases of DWI, the individual as with any other motorist, shall not be to drive. In addition, the following steps must be taken.
 - a. With permission of motorist, transport same to the Police Desk.
 - b. Park the vehicle and secure it.
 - c. Allow the individual to telephone a relative or a friend for transportation.
 - d. Call a taxi for the individual at his/her expense.
 - e. Prepare a report detailing the circumstances of the incident, including a Diplomatic Traffic Incident Report and forward to

Commanding Officer. (APPENDIX "H")

- f. Commanding Officers shall furnish copies to the Department of State, Internal Affairs Bureau Commanding Officer, Civilian Complaint Investigations Unit Commanding Officer, Inspector of Police Professional Standards.

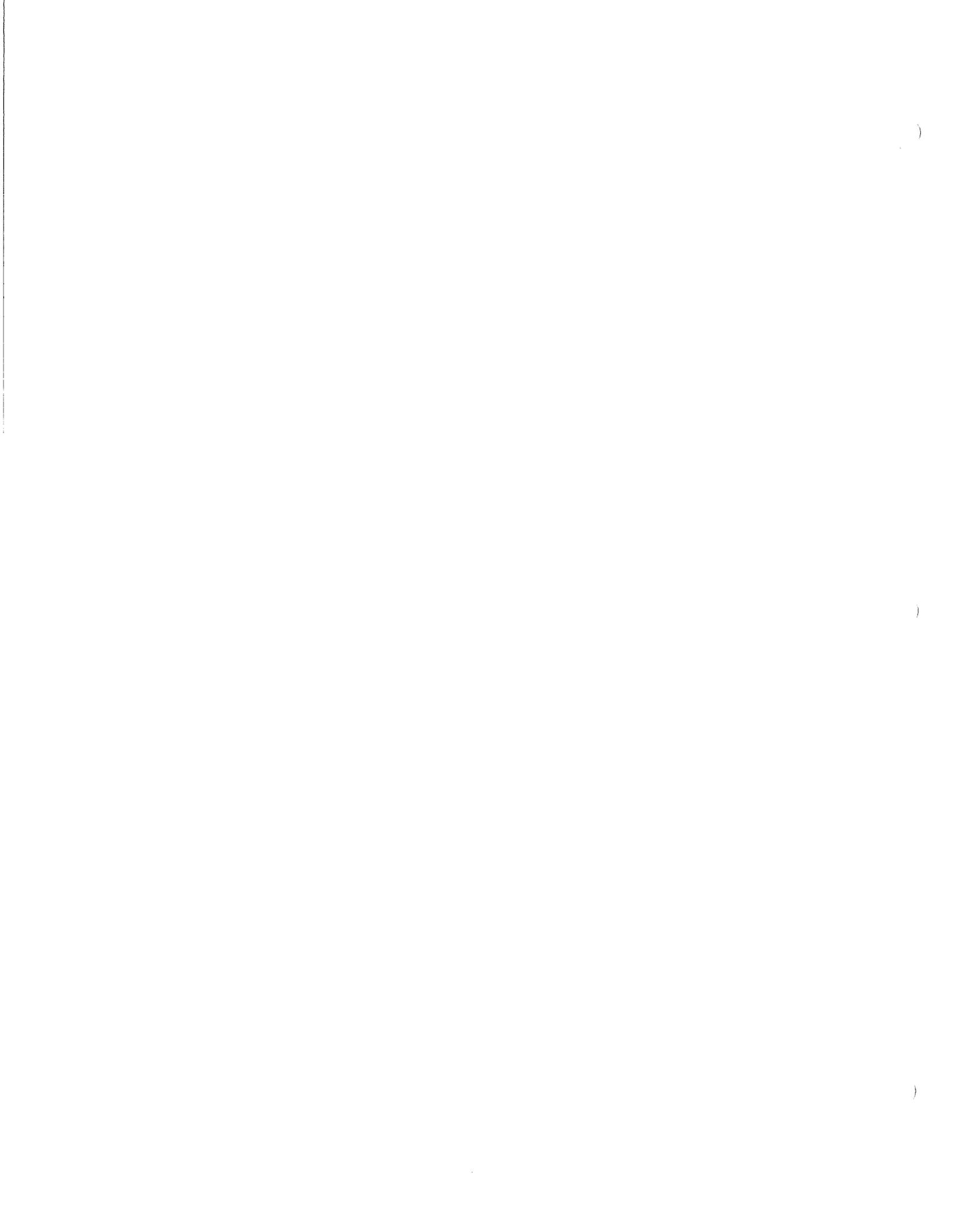
C. Vehicle Crimes:

In cases where a diplomatic vehicle is suspected of being stolen or being used in the commission of a crime by unauthorized person(s), standard Hit Confirmation steps are to be taken. Should the Hit Confirmation process prove positive, the vehicle's inviolability is temporarily suspended. Hence, a normal search and impoundment shall be performed.

By order of:

APPROVED BY THE OFFICE
OF SUPT OF POLICE


Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



APPENDIX "A"

§20.3

Department of Justice
Specific information identified in §19.5
concerning implementation and participation
in the program.

1006-1011, as amended by Public Law 99-
569 100 Stat § 190, § 196

SOURCE: Order No. 801-75, 40 FR 22114,
May 20, 1975 unless otherwise noted.

PART 20 - CRIMINAL JUSTICE
INFORMATION SYSTEMS

Subpart A—General Provisions

Subpart A - General Provisions

SOURCE: 41 FR 11714. Mar. 19, 1976,
unless otherwise noted.

Sec.

120.1 Purpose

20.1 Purpose.

It is the purpose of these regulations to
assure that criminal history record
information wherever it appears is collected,
stored, and disseminated in a manner to
insure the completeness, integrity, accuracy
and security of such information and to
protect individual privacy.

20.2 Authority. 20.3 Definitions.

Subpart B - State and Local Criminal History
Record Information Systems

20.2 Authority.

20.20 Applicability.

These regulations are issued pursuant to
sections 501 and 524(b) of the Omnibus
Crime Control and Safe Streets Act of 1968,
as amended by the Crime Control Act of
1973, Public Law 93-83, 87 Stat. 197, 42
U.S.C. 3701, et seq. (Act), 28 U.S.C. 534,
and Public Law 92- 544, 86 Stat. 1115.

20.21 Preparation and submission of a
Criminal History Record Information
Plan.

20.22 Certification of compliance.

20.23 Documentation: Approval by OJARS.

20.24 State laws on privacy and security.

20.25 Penalties.

Subpart C - Federal System and Interstate
Exchange of Criminal History
Record Information

20.3 Definitions.

20.30 Applicability.

As used in these regulations:

20.31 Responsibilities.

(a). Criminal history record information
system means a system including the
equipment, facilities, procedures,
agreements, and organizations thereof, for
the collection, processing, preservation or
dissemination of criminal history record
information.

20.32 Includable offenses.

(b). Criminal history record information
means information collected by criminal
justice agencies on individuals consisting of
identifiable descriptions and notations of
arrests, detentions, indictments,
informations, or other formal criminal
charges, and any disposition arising
therefrom, sentencing, correctional
supervision, and release. The term does not
include identification information such as
fingerprint records to the extent that such
information does not indicate involvement of
the individual in the criminal justice system.
State and Federal Inspector General Offices
are included.

20.33 Dissemination of criminal history
record information.

20.34 Individual's right to access criminal
history record information.

20.35 National Crime Information Center
Advisory Policy Board.

20.36 Participation In the Computerized
Criminal History Program.

20.37 Responsibility for accuracy,
completeness, currency.

20.38 Sanction for noncompliance.

APPENDIX TO PART 20 – COMMENTARY
ON SELECTED SECTIONS OF THE
REGULATIONS ON
CRIMINAL HISTORY RECORD
INFORMATION SYSTEMS

AUTHORITY: 28 U.S.C. 534; Public Law
92544, 96 Stat. 1115; 42 U.S.C. §711 at
seq; Public Law 99-169, 99 Stat. 1002,

(c). Criminal justice agency means:

1. Courts;
2. A government agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice.

(d). The administration of criminal justice means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of criminal history record information. State and Federal Inspector General Offices are included.

(e). Disposition means information disclosing that criminal proceedings have been concluded, including information disclosing that the police have elected not to refer a matter to a prosecutor or that a prosecutor has elected not to commence criminal proceedings and also disclosing the nature of the termination in the proceedings; or information disclosing that proceedings have been indefinitely postponed and also disclosing the reason for such postponement. Dispositions shall include, but not be limited to, acquittal, acquittal by reason of insanity, acquittal by reason of mental incompetence, case continued without finding, charge dismissed, charge dismissed due to insanity, charge dismissed due to mental incompetency, charge still pending due to insanity, charge still pending due to mental incompetence, guilty plea, nolle prosequi, no paper, nolo contendere plea, convicted, youthful offender determination, deceased, deferred disposition, dismissed—civil action, found insane found mentally incompetent, pardoned, probation before conviction, sentence commuted, adjudication withheld, mistrial—defendant discharged, executive clemency, placed on probation, paroled, or released from correctional supervision.

(f). Statute means an Act of Congress or State legislature of a provision of the

Constitution of the United States or of a State.

(g). State means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico and any territory or possession of the United States.

(h). An executive order means an order of the President of the United States or the Chief Executive of a State which has the force of law and which is published in a manner permitting regular public access thereto.

(i). Act means the Omnibus Crime Control and Safe Streets Act, 42 U.S.C. 3701, et seq., as amended.

(j). Department of Justice criminal history record information system means the Identification Division and the Computerized Criminal History File systems operated by the Federal Bureau of Investigation.

(k). Nonconviction data means arrest information without disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; or information disclosing that the police have elected not to refer a matter to a prosecutor, or that a prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed, as well as all acquittals and all dismissals.

(l). Direct access means having the authority to access the criminal history record database, whether by manual or automated methods.

[41 FR 11714, Mar. 19, 1976, as amended at 45 FR 40114, June 13, 1980; Order No. 960-81. 46 FR 52357, Oct. 27, 1961]

Subpart B—State and Local Criminal History Record Information Systems

SOURCE: 41 FR 11715, Mar. 1.9, 1976, unless otherwise noted.

§ 20.20 Applicability

(a). The regulations in this subpart apply to all State and local agencies and individuals collecting, storing, or disseminating criminal history record information processed by manual or automated operations where such collection, storage, or dissemination has been funded in whole or in part with funds made available by the Law Enforcement

Assistance Administration subsequent to July 1, 1973, pursuant to title I of the Act Use of information obtained from the FBI Identification Division or the FBI/NCIC system shall also be subject to limitations contained in subpart C.

(b). The regulations in this subpart shall not apply to criminal history record information contained in:

- (1). Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;
- (2). Original records of entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis;
- (3). Court records of public judicial proceedings;
- (4). Published court or administrative opinions or public judicial, administrative or legislative proceedings;
- (5). Records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of regulating the issuance, suspension revocation, or renewal of driver's, pilot's or other operators' licenses;
- (6). Announcements of executive clemency.

(c). Nothing in these regulations prevents a criminal justice agency from disclosing to the public criminal history record information related to the offense for which an individual is currently within the criminal justice system. Nor is a criminal justice agency prohibited from confirming prior criminal history record information to members of the news media or any other person upon specific inquiry as to whether a named individual was arrested, detained, indicted, or whether an information or other formal charge was filed, on a specified date, if the arrest record information or criminal record information disclosed is based on data excluded by paragraph (b) of this section. The regulations do not prohibit the dissemination of criminal history record information for purposes of international travel, such as issuing visas and granting of citizenship

§ 20.21 Preparation and submission of a Criminal History Record Information Plan.

A plan shall be submitted to OJARS by each State on March 16, 1976, to set forth all operational procedures, except those portions relating to dissemination and security. A supplemental plan covering these portions shall be submitted no later than 90 days after promulgation of these amended regulations. The plan shall set forth operational procedures to—

(a). Completeness and accuracy. Insure that criminal history record information is complete and accurate.

(1). Complete records should be maintained at a central State repository. To be complete, a record maintained at a central State repository which contains information that an individual has been arrested, and which is available for dissemination, must contain information of any dispositions occurring within the State within 90 days after the disposition has occurred. The above shall apply to all arrests occurring subsequent to the effective date of these regulations. Procedures shall be established for criminal justice agencies to query the central repository prior to dissemination of any criminal history record information unless it can be assured that the most up-to-date disposition data is being used. Inquiries of a central State repository shall be made prior to any dissemination except in those cases where time is of the essence and the repository is technically incapable of responding within the necessary time period.

(2). To be accurate means that no record containing criminal history record information shall contain erroneous information. To accomplish this end criminal justice agencies shall institute a process of data collection, entry, storage, and systematic audit that will minimize the possibility of recording and storing inaccurate information and upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information.

(b). Limitations on dissemination Insure that dissemination of nonconviction data has been limited, whether directly or through any intermediary only to:

- (1). Criminal justice agencies, for purposes of the administration of criminal Justice and criminal justice agency employment;
 - (2). Individuals and agencies for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate State or local officials or agencies;
 - (3). Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, insure the security and confidentiality of the data consistent with these regulations, and provide sanctions for violation thereof;
 - (4). Individuals and agencies for the express purpose of research, evaluative or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, insure the confidentiality and security of the data consistent with these regulations and with section 524(a) of the Act and any regulations implementing section 524(a), and provide sanctions for the violation thereof. These dissemination limitations do not apply to conviction data.
- (c). General policies on use and dissemination.
- (1). Use of criminal history record information disseminated to noncriminal justice agencies shall be limited to the purpose for which it was given.
 - (2). No agency or individual shall confirm the existence or nonexistence of criminal history record information to any person or agency that would not be eligible to receive the information itself.
 - (3). Subsection (b) does not mandate dissemination of criminal history record information to any agency or individual. States and local governments will determine the purposes for which dissemination of criminal history record information is authorized by State law, executive order, local ordinance, court rule, decision or order.

- (d). Juvenile records. Insure that dissemination of records concerning proceedings relating to the adjudication of a juvenile as delinquent or in need or supervision (or the equivalent) to noncriminal justice agencies is prohibited unless a statute, court order, rule or court decision specifically authorizes dissemination of juvenile records, except to the same extent as criminal history records may be disseminated as provided in paragraph (b) (3) and (4) of this section.
- (e). Audit. Insure that annual audits of a representative sample of State and local criminal justice agencies chosen on a random basis shall be conducted by the State to verify adherence to these regulations and that appropriate records shall be retained to facilitate such audits. Such records shall include, but are not limited to, the names of all persons or agencies to whom information is disseminated and the date upon which such information is disseminated. The reporting of a criminal justice transaction to a State, local or Federal repository is not a dissemination of information.
- (f). (U Security. Wherever criminal history record information is collected, stored, or disseminated, each State shall insure that the following requirements are satisfied by security standards established by State legislation, or in the absence of such legislation, by regulations approved or issued by the Governor of the State.
 - (1). Where computerized data processing is employed, effective and technologically advanced software and hardware designs are instituted to prevent unauthorized access to such information.
 - (2). Access to criminal history record information system facilities, systems operating environments, data file contents whether while in use or when stored in a media library, and system documentation is restricted to authorized organizations and personnel.
 - (3). (i) Computer operations, whether dedicated or shared, which support criminal justice information systems, operate in accordance with procedures developed or approved by the participating criminal justice agencies that assure that:

(a). Criminal history record information is stored by the computer in such manner that it cannot be modified, destroyed, accessed, changed, purged or overlaid in any fashion by non-criminal justice terminals.

(b). Operation programs are used that will prohibit inquiry, record updates or destruction of records, from any terminal other than criminal justice system terminals, which are so, designated.

(c). The destruction of records is limited to designated terminals under the direct control of the criminal justice agency responsible for creating or storing the criminal history record information.

(d). Operational programs are used to detect and store for the output of designated criminal justice agency employees all unauthorized attempts to penetrate any criminal history record information system, program or file. •

(e). The programs specified in paragraphs (f)(3)(1) (b) and (d) of this section are known only to criminal justice agency employees responsible for criminal history record information system control or individuals and agencies pursuant to a specific agreement with the criminal justice agency to provide such programs and the program(s) are kept continuously under maximum security conditions.

(f). Procedures are instituted to assure that an individual or agency authorized direct access is responsible for

(1) the physical security of criminal history record information under its control or in its custody and

(2) the protection of such information from unauthorized access, disclosure or dissemination.

(g). Procedures are instituted to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.

(ii). A criminal justice agency shall have the right to audit, monitor and inspect procedures established above.

(4). The criminal justice agency will:

(i). Screen and have the right to reject for employment, based on good cause, all personnel to be authorized to have direct

access to criminal history record information.

(ii). Have the right to initiate or cause to be initiated administrative action leading to the transfer or removal of personnel authorized to have direct access to such information where such personnel violate the provisions of these regulations or other security requirements established for the collection, storage, or dissemination of criminal history record information.

(iii). Institute procedures, where computer processing is not utilized to as sure that an individual or agency authorized direct access is responsible for

(a). The physical security of criminal history record information under its control or in its custody and

(b). The protection of each information from unauthorized access disclosure, or dissemination.

(iv). Institute procedures, where computer processing is not utilized, to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.

(v). Provide that direct access to criminal history record information shall be available only to authorized officers or employees of a criminal justice agency and, as necessary, other authorized personnel essential to the proper operation of the criminal history record information system.

(5). Each employee working with or having access to criminal history record information shall be made familiar with the substance and intent of these regulations.

(g). Access and review. Insure the individual's right to access and review of criminal history information for purposes of accuracy and completeness by instituting procedures so that—

(1). Any individual shall, upon satisfactory verification of his identity, be entitled to review without undue burden to either the criminal justice agency or the individual, any criminal history record information maintained about the individual and obtain a copy thereof when necessary for the purpose of challenge or correction;

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(2). Administrative review and necessary correction of any claim by the individual to whom the information relates that the information is inaccurate or incomplete is provided;

(3). The State shall establish and implement procedures for administrative appeal where a criminal justice agency refuses to correct challenged information to the satisfaction of the individual to whom the information relates;

(4). Upon request, an individual whose record has been corrected shall be given the names of all non-criminal justice agencies to whom the data has been given;

(5). The correcting agency shall notify all criminal justice recipients of corrected information; and

(6). The individual's right to access and review of criminal history record information shall not extend to data contained in intelligence, investigatory, or other related files and shall not be construed to include any other information than that defined by § 20.3(b).

(41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61595, Dec. 6, 1977)

§ 20.22 Certification of compliance

(a). Each State to which these regulations are applicable shall with the submission of its plan provide a certification that to the maximum extent feasible action has been taken to comply with the procedures set forth in the plan. Maximum extent feasible, in this subsection, means actions which can be taken to comply with the procedures set forth in the plan that do not require additional legislative authority or involve unreasonable cost or do not exceed existing technical ability.

(b). The certification shall include—

(1). An outline of the action, which has been instituted. At a minimum, the requirements of access and review under §20.21(g) must be completely operational;

(2). A description of any legislation or executive order, or attempts to obtain such authority that has been instituted to comply with these regulations;

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(3). A description of the steps taken to overcome any fiscal, technical, and administrative barriers to the development of complete and accurate criminal history record information;

(4). A description of existing system capability and steps being taken to upgrade such capability to meet the requirements of these regulations; and

(5). A listing setting forth categories of non-criminal justice dissemination. See §20.21(b).

§ 20.23 Documentation: Approval by OJARS.

Within 90 days of the receipt of the plan, OJARS shall approve or disapprove the adequacy of the provisions of the plan and certification. Evaluation of the plan by OJARS will be based upon whether the procedures set forth will accomplish the required objectives. The evaluation of the certification(s) will be based upon whether a good faith effort has been shown to initiate and/or further compliance with the plan and regulations. All procedures in the approved plan must be fully operational and implemented by March 1, 1978. A final certification shall be submitted on March 1, 1978. Where a State finds it is unable to provide final certification that all required procedures as set forth in § 20.21 will be operational by March 1, 1978, a further extension of the deadline will be granted by OJARS upon a showing that the State has made a good faith effort to implement these regulations to the maximum extent feasible. Documentation justifying the request for the extension including a proposed timetable for full compliance must be submitted to OJARS by March 1, 1978. Where a State submits a request for an extension the implementation date will be extended an additional 90 days while OJARS reviews the documentation for approval or disapproval. To be approved, such revised schedule must be consistent with the timetable and procedures set out below:

(a). July 31, 1978—Submission of certificate of compliance with:

(1). Individual access, challenge, and review requirements;

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- (2). Administrative security;
- (3). Physical security to the maximum extent feasible.

(b). Thirty days after the end of a State's next legislative session—Submission to OJARS of a description of State policy on dissemination of criminal history record information.

(c). Six months after the end of a State's legislative session—Submission to OJARS of a brief and concise description of standards and operating procedures to be followed by all criminal justice agencies covered by OJARS regulations in complying with the State policy on dissemination.

(d). Eighteen months after the end of a State's legislative session—Submission to OJARS of a certificate attesting to the conduct of an audit of the State central repository and of a random number of other criminal justice agencies in compliance with OJARS regulations.

[41 FR 11715, Mar. 19, 1976, as amended at 42 FR 61596, Dec. 6, 1977]

§ 20.24 State laws on privacy and security.

Where a State originating criminal history record information provides for sealing or purging thereof, nothing in these regulations shall be construed to prevent any other State receiving such information, upon notification, from complying with the originating State's sealing or purging requirements.

§ 20.25 Penalties

Any agency or individual violating subpart B of these regulations shall be subject to a fine not to exceed 510,000. In addition, OJARS may initiate fund cut-off procedures against recipients of OJARS assistance.

Subpart C--federal System and Interstate Exchange of Criminal History Record Information

§ 20.30 Applicability

The provisions of this subpart of the regulations apply to any Department of Justice criminal history record information system that serves criminal justice agencies in two or more states and to Federal, state and local criminal justice agencies to the extent that they utilize the services of Department of Justice criminal history record

information systems. These regulations are applicable to both manual and automated systems.

§ 20.31 Responsibilities

(a). The Federal Bureau of Investigation (FBI) shall operate the National Crime Information Center (NCIC), the computerized information system which includes telecommunications lines and any message switching facilities which are authorized by law or regulation to link local, state and Federal criminal justice agencies for the purpose of exchanging NCIC-related information. Such information includes information in the Computerized Criminal History (CCH) File, a cooperative Federal-State program for the interstate exchange of criminal history §20.32 record information. CCH shall provide a central repository and index of criminal history record information for the purpose of facilitating the interstate exchange of such information among criminal justice agencies.

(b). The FBI shall operate the Identification Division to perform identification and criminal history record information functions for Federal, state, and local criminal justice agencies, and for noncriminal justice agencies and other entities where authorized by Federal statute, state statute pursuant to Public Law 92-644 (86 Stat. 1115), Presidential executive order, or regulation of the Attorney General of the United States.

(c). The FBI Identification Division shall maintain the master fingerprint files on all offenders included in the NCIC/CCH File for the purposes of determining first offender status and to identify those offenders who are unknown in states where they become criminally active but known in other states through prior criminal history records.

§ 20.32 Includable offenses.

(a). Criminal history record information maintained in any Department of Justice criminal history record information system shall include serious and/or significant adult and juvenile offenses.

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(b). Excluded from such a system are arrests and court actions limited only to nonserious charges, e.g. drunkenness, vagrancy, disturbing the peace, curfew violation, loitering, false fire alarm, non-specific charges of suspicion or investigation, traffic violations (except data will be included on arrests for manslaughter, driving under the influence of drugs or liquor, and hit and run).

(c). The exclusions enumerated above shall not apply to Federal manual criminal history record information collected maintained and compiled by the FBI prior to the effective date of these Regulations.

[Order No. 601-75, 40 FR 22114, May 20, 1975, as amended by Order No. 1601-92, 57 FR 31318, July 15, 1992]

§ 20.33 Dissemination of criminal history record information.

(a). Criminal history record information contained in any Department of Justice criminal history record information system will be made available:

- (1). To criminal justice agencies for criminal justice purposes: and
- (2). To Federal agencies authorized to receive it pursuant to Federal statute or Executive order.
- (3). Pursuant to Public Law 92-544 (86 Stat. 1115) for use in connection with licensing or local/state employment or for other uses only if such dissemination is authorized by Federal or state statutes and approved by the Attorney General of the United States. Refer to §50.12 of this chapter for dissemination guidelines relating to requests processed under this paragraph.
- (4). For issuance of press releases and publicity designed to effect the apprehension of wanted persons in connection with serious or significant offenses.

(b). The exchange of criminal history record information authorized by paragraph (a) of this section is subject to cancellation if dissemination is made outside the receiving departments or related agencies.

(c). Nothing in these regulations prevents a criminal justice agency from disclosing to the public factual information concerning the

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status of an investigation, the apprehension, arrest release, or prosecution of an individual, the adjudication of charges, or the correctional status of an individual, which is reasonably contemporaneous with the event to which the information relates.

[Order No. 601-75, 40 FR 22114, May 20, 1975, as amended by Order No. 1432-90, 55 FR 32075, Aug. 7, 1990]

§ 20.34 Individual's right to access criminal history record information.

(a). Any individual, upon request, upon satisfactory verification of his identity by fingerprint comparison and upon payment of any required processing fee, may review criminal history record information maintained about him in a Department of Justice criminal history record information system.

(b). If after reviewing his identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his challenge as to the accuracy or completeness of any entry on his record to the Assistant Director of the FBI Identification Division, Washington, DC 20537. The FBI will then forward the challenge to the agency, which submitted the data requesting that agency to verify or correct the challenged entry. If the contributing agency corrects the record, it shall promptly notify the FBI and, upon receipt of such a notification, the FBI will make any changes necessary in accordance with the correction supplied by the contributor of the original information.

(Order No. 601-75, 40 FR 22114, May 20, 1975, as amended by Order No. 835-78, 43 FR 50173, Oct. 27, 1978]

§ 20.36 National Crime Information Center Advisory Policy Board.

There is established an NCIC Advisory Policy Board whose purpose is to recommend to the Director, FBI, general policies with respect to the philosophy,

concept and operational principles of NCIC, particularly its relationships with local and state systems relating to the collection, processing, storage, dissemination and use of criminal history record information contained in the CCH File.

(a).

(1). The Board shall be composed of twenty-six members, twenty of whom are elected by the NCIC users from across the entire United States and six who are appointed by the Director of the FBI. The six appointed members two each from the judicial, the corrections and the prosecutive sectors of the criminal justice community, shall serve for an indeterminate period of time. The twenty elected members shall serve for a term of two years commencing on January 5th of each odd numbered year.

(2). The Board shall be representative of the entire criminal justice community at the state and local levels and shall include representation from law enforcement, the courts and corrections segments of this community.

(b). The Board shall review and consider rules, regulations and procedures for the operation of the NCIC.

(c). The Board shall consider operational needs of criminal justice agencies in light of public policies, and local, state and Federal statutes and these regulations.

(d). The Board shall review and consider, on a continuing basis, security and privacy aspects of the NCIC system and shall as needed, appoint ad hoc subcommittees to provide information and recommendations to the Board concerning security and privacy of the NOW system.

(e). The Board shall recommend standards for participation by criminal justice agencies in the NCIC system.

(f). The Board shall report directly to the Director of the FBI or his designated appointee.

(g). The Board shall operate within the purview of the Federal Advisory Committee Act, Public Law 92-463, and 86 Stat. 770.

(h). The Director, FBI, shall not adopt recommendations of the Board, which would be in violation of these regulations.

(28 U.S.C. 509, 510, 535: 5 Q.S.C. 301)

[Order No. 601-75. 40 FR 22114, May 20, 1975, as amended by Order No. 819-79, 44 FR 12031, Mar. 5, 1979]

§ 20.36 Participation in the Computerized Criminal History Program.

(a). For the purpose of acquiring and retaining direct access to CCH File each criminal justice agency shall execute a signed agreement with the Director, FBI, to abide by all present rules, policies and procedures of the NCIC, as well as any rules, policies and procedures hereinafter approved by the NCIC Advisory Policy Board and adopted by the NCIC.

(b). Entry of criminal history record information into the OCR File will be accepted only from an authorized state or Federal criminal justice control terminal. Terminal devices in other authorized criminal justice agencies will be limited to inquiries.

§ 20.37 Responsibility for accuracy, completeness, currency.

It shall be the responsibility of each criminal justice agency contributing data to any Department of Justice criminal history record information system to assure that information on individuals is kept complete, accurate and current so that all such records shall contain to the maximum extent feasible dispositions for all arrest data included therein. Dispositions should be submitted by criminal justice agencies within 120 days after the disposition has occurred.

§ 20.38 Sanction for noncompliance.

The services of Department of Justice criminal history record Information systems are subject to cancellation in regard to any agency or entity, which fails to comply with the provisions of subpart C.

APPENDIX TO PART 20 - COMMENTARY ON SELECTED SECTIONS OF THE REGULATIONS ON CRIMINAL HISTORY RECORD INFORMATION SYSTEMS

Subpart A-§ 20.3(b).

The definition of criminal history record information is intended to include the basic offender-based transaction statistics/computerised criminal history (OBTS/CCE) data elements.

If notations of an arrest, disposition, or other formal criminal justice transactions occur in records other than the traditional "rap sheet" such as arrest reports, any criminal history record information contained in such reports comes under the definition of this subsection.

The definition however does not extend to other information contained in criminal justice agency reports. Intelligence or Investigative information (e.g., suspected criminal activity, associates, hangouts, financial information, ownership of property and vehicles) is not included in the definition of criminal history information.

§ 20.3(c). The definitions of criminal justice agency and administration of criminal justice of § 20.3(c) must be considered together. Included, as criminal justice agencies would be traditional police, courts, and corrections agencies as well as subunits of noncriminal justice agencies performing inaction of the administration of criminal justice pursuant to Federal or State statute or executive order. The above subunits of noncriminal justice agencies would include for example the Office of Investigation of the U.S. Department of Agriculture, which has as its principal function the collection of evidence for criminal prosecutions of fraud. Also Included under the definition of criminal justice agency are umbrella-type administrative agencies supplying criminal history information services such as New York's Division of Criminal Justice Services.

§ 20.3(e). Disposition is a key concept in section 524(b) of the Act and in 120.21(a)(1) and 120.21(b). It therefore is defined in some detail. The specific dispositions listed in this subsection are examples only and are not to be construed as excluding other unspecified transactions concluding criminal proceedings within a particular agency.

§ 20.3(k). The different kinds of acquittals and dismissals as delineated in 120.3(e) are all considered examples of nonconviction data.

Subpart B - § 20.20(a). These regulations apply to criminal justice agencies receiving funds under the Omnibus Crime Control and Safe Streets Act for manual or automated systems subsequent to July 1, 1973.

In the hearings on the regulations, a number of those testifying challenged LEAA's authority to promulgate regulations for manual systems by contending that section 524(b) of the Act governs criminal history information contained in automated systems.

The intent of section 524(b), however, would be subverted by only regulating automated systems. Any agency that wished to circumvent the regulations would be able to create duplicate manual files for purposes contrary to the letter and spirit of the regulations.

Regulation of manual systems, therefore, is authorized by section 524(b) when coupled with section 501 of the Act which authorizes the Administration to establish rules and regulations "necessary to the exercise of its functions * * *."

The Act clearly applies to all criminal history record information collected, stored, or disseminated with LEAA support subsequent to July 1, 1973.

Limitations as contained in subpart C also apply to information obtained from the FBI Identification Division or the FBI/NCIC System.

§ 20.20 (b) and (c). Section 20.20 (b) and (c) exempts from regulations certain types of records vital to the apprehension of fugitives, freedom of the press, and the public's right to know. Court records of public judicial proceedings are also exempt from the Provisions of the regulations.

Section 20.20(b)(2) attempts to deal with the problem of computerized police blotters. In some local jurisdictions, it is apparently possible for private individuals and/or newsmen upon submission of a specific name to obtain through a computer search of the blotter a history of a person's arrests. Such files create a partial criminal history data bank potentially damaging to individual privacy, especially since they do not contain final dispositions. By requiring that such records be accessed solely on a chronological basis, the regulations limit inquiries to specific time periods and discourage general fishing expeditions into a person's private life.

Subsection 20.20(c) recognizes that announcements of ongoing developments in the criminal justice process should not be precluded from public disclosure. Thus announcements of arrest, convictions, and new developments in the course of an investigation may be made. It is also permissible for a criminal justice agency to confirm certain matters of public record information upon specific inquiry. Thus, if a question is raised: "Was X arrested by your agency on January 3, 1975" and this can be confirmed or denied by looking at one of the records enumerated in subsection (b) above, then the criminal justice agency may respond to the inquiry. Conviction data as stated in 120.21(b) may be disseminated without limitation.

§ 20.21. The regulations deliberately refrain from specifying who within a State should be responsible for preparing the plan. This specific determination should be made by the Governor. The State has 90 days from the publication of these revised regulations to submit the portion of the plan covering if 20.21(b) and 20.21(1).

§ 20.21(a)(1). Section 524(b) of the Act requires that LEAA insure criminal history information be current and that, to the maximum extent feasible, it contain disposition as well as current data.

It is however, economically and administratively impractical to maintain complete criminal histories at the local level. Arrangements for local police departments to keep track of dispositions by agencies outside of the local jurisdictions generally do not exist. It would, moreover, be bad public policy to encourage such arrangements since it would result in an expensive duplication of files.

The alternatives to locally kept criminal histories are records maintained by a central State repository. A central State repository is a State agency having the function pursuant to a statute or executive order of maintaining comprehensive statewide criminal history record information files. Ultimately, through automatic data processing the State level will have the capability to handle all requests for in-State criminal history information.

Section 20.20(aX1) is written with a centralized State criminal history repository in mind.

The first sentence of the subsection states that complete records should be retained at a central State repository. The word "should" is permissive: it suggests but does not mandate a central State repository.

The regulations do require that States establish procedures for State and local criminal justice agencies to query central State repositories wherever they exist. Such procedures are intended to insure that the most current criminal justice information is used.

As a minimum, criminal justice agencies subject to these regulations must make inquiries of central State repositories whenever the repository is capable of meeting the user's request within a reasonable time. Presently comprehensive records of an individual's transactions within a State are maintained in manual files at the State level, if at all. It is probably unrealistic to expect manual systems to be able immediately to meet many rapid-access needs of police and prosecutors. On the other hand, queries of the State central repository for most noncriminal justice purposes probably can and should be made prior to dissemination of criminal history record information.

§ 20.21(b). The limitations on dissemination in this subsection are essential to fulfill the mandate of section 524(b) of the Act, which requires the Administration to assure that the "privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal Justice and other lawful purposes." The categories for dissemination established in this section reflect suggestions by hearing witnesses and respondents submitting written commentary.

The regulations distinguish between conviction and nonconviction information insofar as dissemination is concerned. Conviction information is currently made available without limitation in many jurisdictions. Under these regulations, conviction data and pending charges could continue to be disseminated routinely. No statute, ordinance, executive order, or court rule is necessary in order to authorize dissemination of conviction data. However, nothing in the regulations shall be construed to negate a State law limiting such dissemination.

After December 31, 1977, dissemination of nonconviction data would be allowed, if authorized by a statute, ordinance, executive order, or court rule, decision, or order. The December 31, 1977, deadline allows the States time to review and determine the kinds of dissemination for non-criminal justice purposes to be authorized. When a State enacts comprehensive legislation in this area, such legislation will govern dissemination by local jurisdictions within the State. It is possible for a public record law, which has been construed by the State to authorize access to the public of all State records, including criminal history record information, to be considered as statutory authority under this subsection. Federal legislation and executive orders can also authorize dissemination and would be relevant authority.

For example, Civil Service suitability Investigations are conducted under Executive Order 10450. This is the authority for most investigations conducted by the Commission.

Section 3(a) of 10150 prescribes the minimum scope of investigation and requires a check of FBI fingerprint files and written inquiries to appropriate law enforcement agencies.

§ 20.21(b)(3). This subsection would permit private agencies such as the Vera Institute to receive criminal histories where they perform a necessary administration of justice function such as pretrial release. Private consulting firms which commonly assist criminal justice agencies in information systems development would also be included here.

§ 20.21(b)(4). Under this subsection, any good faith researchers including private individuals would be permitted to use criminal history record information for research purposes. As with the agencies designated in § 20.21(b)(3) researchers would be bound by an agreement with the disseminating criminal justice agency and would, of course, be subject to the sanctions of the Act.

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The drafters of the regulations expressly rejected a suggestion, which would have limited access for research purposes to certified research organizations. Specifically "certification" criteria would have been extremely difficult to draft and would have inevitably led to unnecessary restrictions on legitimate research.

Section 524(a) of the Act which forms part of the requirements of this section states: "Except as provided by Federal law other than this title, no officer or employee of the Federal Government, nor any recipient of assistance under the provisions of this title shall use or reveal any research or statistical information furnished under this title by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this title. Copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action suit, or other judicial or administrative proceedings."

LEAA anticipates issuing regulations, pursuant to section 524(a) as soon as possible.

§ 20.21(c)(2). Presently some employers are circumventing State and local dissemination restrictions by requesting applicants to obtain an official certification of no criminal record. An employer's request under the above circumstances gives the applicant the unenviable choice of invasion of his privacy or loss of possible job opportunities. Under this subsection routine certifications of no record would no longer be permitted. In extraordinary circumstances, however, an individual could obtain a court order permitting such a certification.

§ 20.21(c)(3). The language of this subsection leaves to the States the question of who among the agencies and individuals listed in § 20.21(b) shall actually receive criminal records. Under these regulations a State could place a total ban on dissemination if so wished. The State could, on the other hand, enact laws authorizing any member of the private sector to have access to non-conviction data.

§ 20.21(d). Non-criminal justice agencies will not be able to receive records of juveniles unless the language of a statute or court order, rule, or court decision specifies that juvenile records shall be available for dissemination. Perhaps the most controversial part of this subsection is that it denies access to records of juveniles by Federal agencies conducting background investigations for eligibility to classified information under existing legal authority.

§ 20.21(e). Since it would be too costly to audit each criminal justice agency in most States (Wisconsin, for example, has 1075 criminal justice agencies) random audits of a "representative sample" of agencies are the next best alternative. The term "representative sample" is used to insure that audits do not simply focus on certain types of agencies. Although this subsection requires that there be records kept with the names of all persons or agencies to whom information is disseminated, criminal justice agencies are not required to maintain dissemination logs for "no record" responses.

§ 20.21(f). Requirements are set forth which the States must meet in order to assure that criminal history record information is adequately protected. Automated systems may operate in shared environments and the regulations require certain minimum assurances.

20.21(g) (1). A "challenge" under this section is an oral or written contention by an individual that his record is inaccurate or incomplete; it would require him to give a correct version of his record and explain why he believes his version to be correct. While an individual should have access to his record for review, a copy of the record should ordinarily only be given when it is clearly established that it is necessary for the purpose of challenge.

The drafters of the subsection expressly rejected a suggestion that would have called for a satisfactory verification of identity by fingerprint comparison. It was felt that States ought to be free to determine other means of identity verification.

§ 30.21(g) (5). Not every agency will have done this in the past, but henceforth adequate records including those required under 20.21(e) must be kept so that notification can be made.

§ 20.21(gX6). This section emphasizes that the right to access and review extends only to criminal history record information and does not include other information such as intelligence or treatment data.

§ 20.22(a). The purpose for the certification requirement is to indicate the extent of compliance with these regulations. The term "maximum extent feasible" acknowledges that there are some areas such as the completeness requirement, which create complex legislative and financial problems.

NOTE: In preparing the plans required by these regulations, States should look for guidance to the following documents: National Advisory Commission on Criminal Justice Standards and Goals. Report on the Criminal Justice System: Project SEARCH: Security and Privacy Considerations in Criminal History Information Systems. Technical Reports No. 2 and No. 13; Project SEARCH: A Model State Act for Criminal Offender Record Information. Technical Memorandum No. 3; and Project SEARCH: Model Administrative Regulations for Criminal Offender Record Information, Technical Memorandum No. 4.

Subpart C-420.31. Defines the criminal history record information system operated by the Federal Bureau of Investigation. Each state having a record in the Computerized Criminal History (CCH) file must have a fingerprint card on file in the FBI Identification Division to support the CCH record concerning the individual.

Paragraph (b) is not intended to limit the identification services presently performed by the FBI for Federal, state and local agencies.

§ 20.32. The grandfather clause contained in the third paragraph of this section is designed, from a practical standpoint, to eliminate the necessity of deleting from the FBI's massive files the non-includable offenses which were stored prior to February, 1973.

In the event a person is charged in court with a serious or significant offense arising out of an arrest involving a non-includable offense, the non-includable offense will appear in the arrest segment of the CCH record.

Section 20.33. Incorporates provisions cited in 28 CFR 50.12 regarding dissemination of identification records outside the Federal Government for noncriminal justice purposes.

§ 20.34. The procedures by which an individual may obtain a copy of his manual identification record are particularized in 28 CFR 16.30-34.

The procedures by which an individual may obtain a copy of his Computerized Criminal History record are as follows:

If an individual has a criminal record supported by fingerprints and that record has been entered in the NCIC CCH File, it is available to that individual for review, upon presentation of appropriate identification, and in accordance with applicable state and Federal administrative and statutory regulations.

Appropriate identification includes being fingerprinted for the purpose of insuring that he is the individual that he purports to be. The record on file will then be verified as his through comparison of fingerprints.

Procedure.

(1). All requests for review must be made by the subject of his record through a law enforcement agency, which has access to the NCIC CCH File. That agency within statutory or regulatory limits can require additional identification to assist in securing a positive identification.

(2). If the cooperating law enforcement agency can make an identification with fingerprints previously taken which are on file locally and if the FBI identification number of the Individual's record is available to that agency. It can make an on-line inquiry of NCIC to obtain his record on-line or, if it does not have suitable equipment to obtain an on-line response, obtain the record from Washington, D.C. by mail.

The individual will then be afforded the opportunity to see that record.

(3). Should the cooperating law enforcement agency not have the individual's fingerprints on file locally, It is necessary for that agency to relate his prints to an existing record by having his identification prints compared with those already on file in the FBI or, possibly, in the State's central identification agency.

(4). The subject of the requested record shall request the appropriate arresting agency, court, or correctional agency to initiate action necessary to correct any stated inaccuracy In his record or provide the information needed to make the record complete.

§ 20.36. This section refers to the requirements for obtaining direct access to the CCH file.

§ 20.37. The 120-day requirement in this section allows 30 days more than the similar provision in subpart B in order to allow for processing time which may be needed by the states before forwarding the disposition to the FBI.

[Order No. 662-76, 41 FR 34949, Aug. 18, 1976, as amended by Order No. 1438-90. 55 FR 32075, Aug. 7, 1990)

PART 21—WITNESS FEES

Sec.

21.1 Definitions.

21.2 Employees of the United States serving as witnesses.

21.3 Aliens.

21.4 Fees and allowances of fact witnesses.

21.5 Use of table of distances.

21.6 Proceedings in forma pauperis.

21.7 Certification of witness attendance.

Authority: 28 U.S.C. 509. 510. 1821-1825. 5 U.S.C. 301.

SOURCE: 51 FR 16171. May 1. 1986. unless otherwise noted.

§ 21.1 Definitions.

(a). Agency proceeding. An agency process as defined by 5 U.S.C. 551 (5), (7) and (9).

(b). Alien. Any person who is not a citizen or national of the United States.

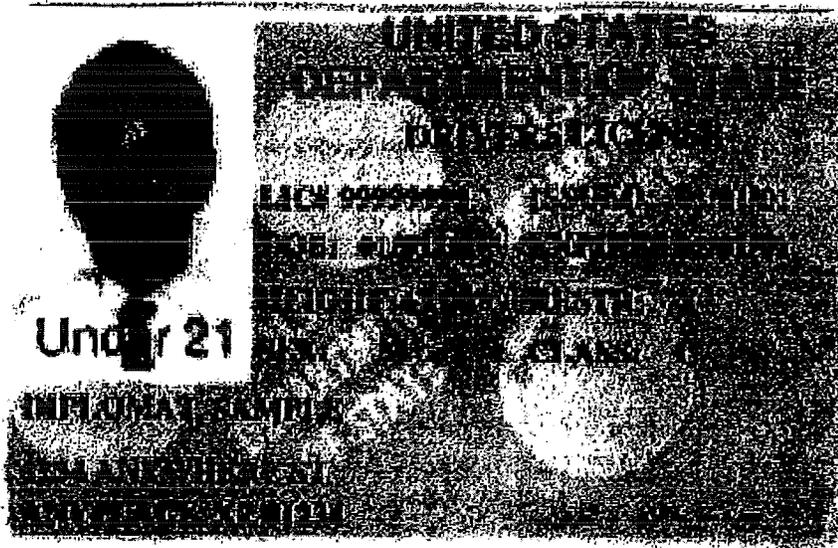
(c). Judicial proceeding. Any action or suit, including any condemnation, preliminary, informational or other proceeding of a judicial nature. Examples of the latter include, but are not limited to hearings and conferences before a committing court, magistrate, or commission, grand jury proceedings, pre-trial conferences, depositions, and coroners' inquests. It does not include information or investigative proceedings conducted by a prosecuting attorney, for the purpose of determining whether an information or charge should be made in a particular case. The judicial proceeding may be in the District of Columbia, a State, or a territory or possession of the United States including the Commonwealth of Puerto Rico or the Trust Territory of the Pacific Islands.

(d). Pre-trial conference. A conference between the Government Attorney and a witness to discuss the witness' testimony. The conference must take place after a trial, hearing or grand jury proceeding has been scheduled but prior to the witness' actual appearance at the proceeding.

(e). Residence. The term residence is not limited to the legal residence, but includes any place at which the witness is actually residing and at which the subpoena or summons is served. If the residence of the witness at the time of appearance is different from the place of subpoena or summons, the new place of residence shall be considered the witness' residence for computation of the transportation allowance; but if the witness is on a business or vacation trip at the time of appearance, the witness shall be paid for travel from the place of service if this does not result in the witness being paid for more travel than is actually performed.

(f). Summons. An official request, invitation or call, evidenced by an official writing of the court, authority, or

APPENDIX "B"

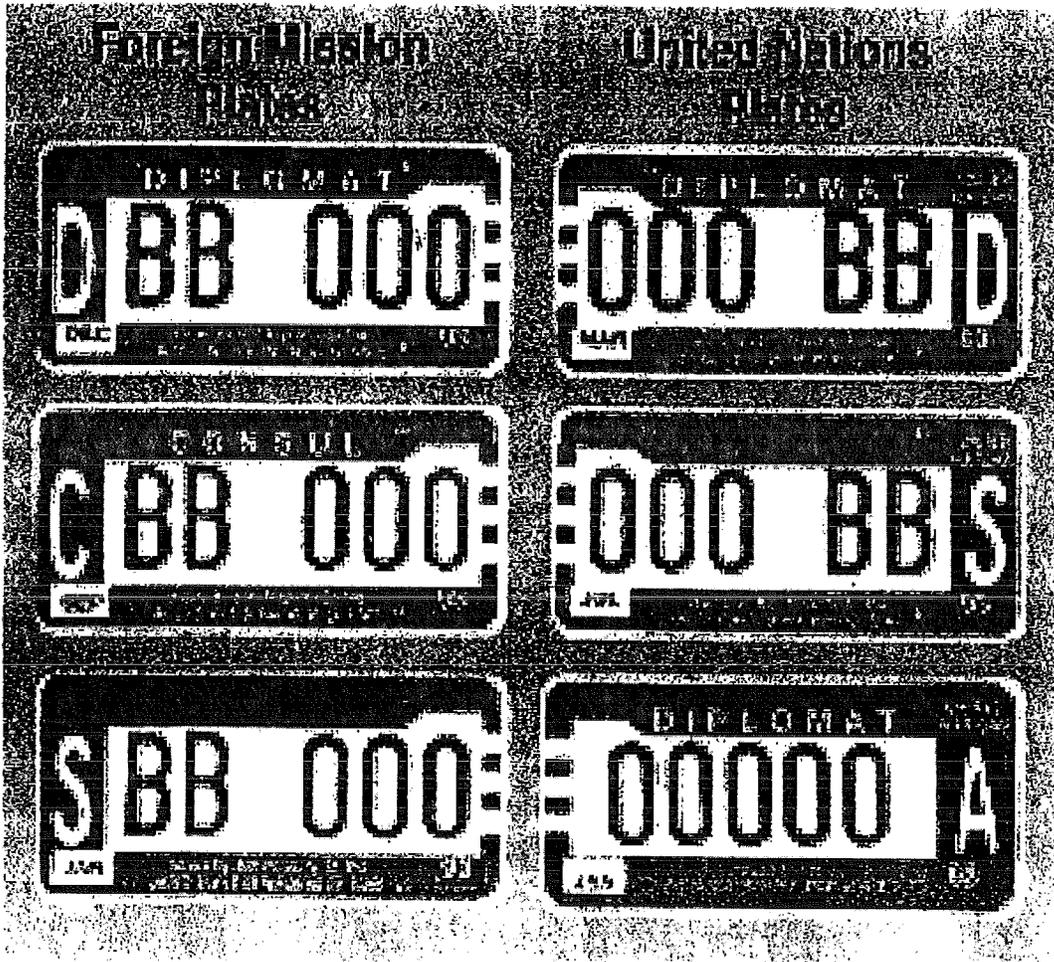


Any accidents, citations or inquiries involving this license should be directed to (202) 696-5521 between 6 a.m. - 5 p.m. EST. All other times, call (202) 647-7277. Fax all citations or reports to (202) 696-3533.

Codes:

- 0- No Restrictions
- X- Corrective Lenses
- 1- Auto Transmission Only
- 2- All Hand Controls
- 3- Vision, State Restrictions
- 4- Daylight Driving Only
- 5- Artificial Limb
- 6- Two visible mirrors
- 7- Other

APPENDIX "C"



APPENDIX "D"



NOT TRANSFERABLE

This card is valid for travel to the United States only. It is not valid for travel to other countries. It is not valid for travel to the United States if the holder is a member of a Communist Party or a member of a Communist front organization. It is not valid for travel to the United States if the holder is a member of a Communist Party or a member of a Communist front organization.

IF FOUND PLEASE RETURN TO:

Office of Foreign Missions
U.S. Department of State
3507 International Place, N.W.
Washington, D.C. 20008-0004

202-692-5500

Monday through Friday
9:00 a.m. - 4:00 p.m. EST

Return Postage Guaranteed

Rev. 08-95

APPENDIX "E"

List of Useful Telephone Numbers

For Information on Diplomatic and Consular Personnel and Personnel of International Organizations Other Than the United Nations

During Normal Business Hours

Current status of U.S. Department of State Federal license tags, registrations, or other motor vehicle information: (202) 895-3532

Current status of U.S. Department of State driver licenses and general licensing information: Fax - (202) 895-3646
(202) 895-3521

For reporting traffic incidents or accidents, issuance of citations, etc., involving foreign missions personnel: (202) 895-3521

Current status of

Diplomatic agents and family members (202) 647-1664
Embassy administrative, technical, and service staff and (202) 647-1405
Consular personnel and families (202) 647-1404
International Organizations (202) 647-1402

Please send copies of incident reports and citations to: Diplomatic Security Service, Protective Liaison Division Fax- (202) 895-3613

After Normal Business Hours

All inquiries should be made to the Diplomatic Security Watch Officer, Department of State (operates 24-hours daily): (202) 647-7277

For Information on United Nations Personnel

During Normal Business Hours

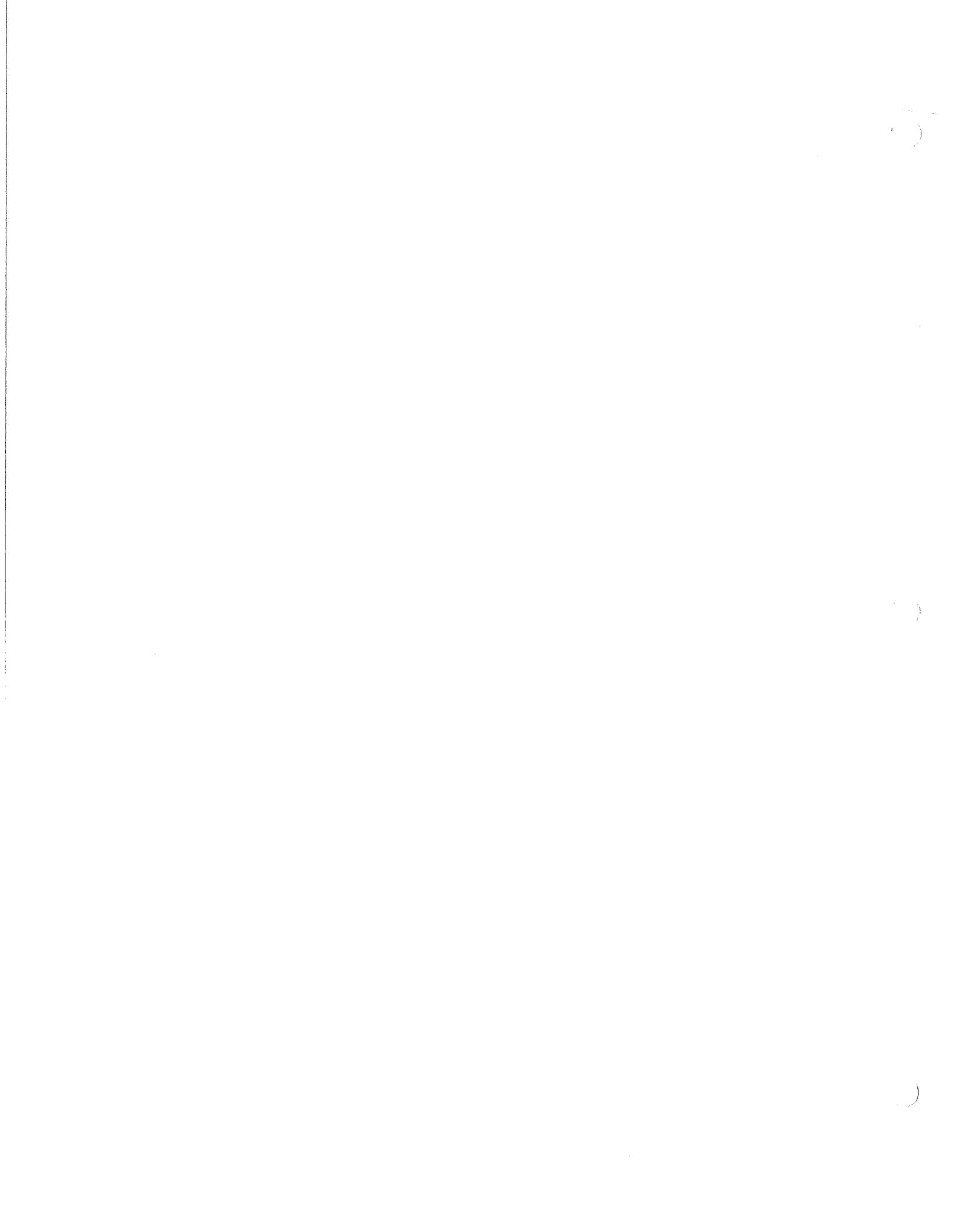
Current status of:

Diplomatic agents and family members (212) 415-4131 (212) 415-4131
U.N. Mission staff and family member (212) 415-4168 or
U.N. Secretariat employees (212) 415-4168
U.S. Department of State license tags, registration, or other motor vehicle information (212) 826-4500

After Normal Business Hours

Information is available from the Communications Section of the U.S. United Nations (operates 24-hours daily): (212) 415-4444

Please send copies of police reports to: USUN Host Country Fax: (212) 415-4162



Diplomatic and Consular Privileges and Immunities Summary of Law Enforcement Aspects

Category	May Be Arrested or Detained	Residence May Be Entered Subject to Ordinary Procedures	May be Issued Traffic Citation	May be Subpoenaed as Witness	May be Prosecuted	Recognized Family Member
Diplomatic Agent	No ¹	No	Yes	No	No	Same as sponsor (full immunity & inviolability).
Member of Admin and Tech. Staff	No ²	No	Yes	No	No	Same as sponsor (full immunity & inviolability).
Service Staff	Yes ¹	Yes	Yes	Yes	No—for official acts. Otherwise, Yes ¹	No immunity or inviolability. ¹
Career Consular Officers	Yes, if for a felony & pursuant to a warrant ¹	Yes ¹	Yes	No—for official acts. Testimony may not be compelled in any case.	No—for official acts. Otherwise, Yes ¹	No immunity or inviolability. ¹
Honorary Consular Officers	Yes	Yes	Yes	No—for official acts. Yes, in all other cases,	No—for official acts. Otherwise, Yes	No immunity or inviolability.
Consular Employees	Yes ¹	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, Yes ¹	No immunity or inviolability. ¹
International Organization Staff	Yes ¹	Yes ¹	Yes	Yes ¹	No—for official acts. Otherwise, Yes ¹	No immunity or inviolability.
Diplomatic-Level Staff of Missions to Int'l Orgs.	No ¹	No	Yes	No	No	Same as sponsor (full immunity & inviolability).
Support Staff of Missions to International Organizations	Yes	Yes	Yes	Yes	No—for official acts. Otherwise, Yes	No immunity or inviolability.

¹This table presents general rules. Particularly in the cases indicated, the employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements. ²Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or the prevention of serious criminal acts.

³A small number of senior officers are entitled to be treated identically to "diplomatic agents."

⁴Note that consular residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

**APPENDIX "G"
DIPLOMATIC. INCIDENT REPORT
SUPPLEMENT**



Date	Time	Command	Case No.
Place of Occurrence		Jurisdiction	
		4.	
Police Officer			
Rank	Name		Shield Number
Diplomat Information			
Name		Title	Embassy
Embassy Address		Residence Address	Embassy Tel. No.
Details of Incident (attach supplement if necessary)			
INTERNAL NOTIFICATIONS			
Central Police Desk		Civilian Complaint Investigations Unit	Internal Affairs Bureau
Name			
Title			
Tel. No.			
Time			
EXTERNAL NOTIFICATIONS			
Department of State		Federal Bureau of Investigations	
Name		Name	
Title		Title	
Tel. No.		Tel. No.	
Time	Case No.	Time	Case No.

Supervisor	Date	Time
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INTERIM ORDER

I. PURPOSE:

It is the purpose of this policy to establish guidelines for stopping and approaching motorists in a manner that promotes safety of the officer and motorists alike.

II. POLICY

Although stopping motorists on the highway for traffic violations or other close up purposes is often considered a routine function of a Police Officer, it is one that has been demonstrated to be potentially dangerous for both officer and motorists alike. Therefore, it is the policy of the Port Authority Police Department that motor vehicle stops shall be performed professionally, courteously, and with a view towards educating the public about proper driving practices while consistently recognizing and taking the necessary steps to minimize the dangers involved in this type of activity for the officer, motorist and other users of the highway. It shall also be the policy of the department that all vehicle stops be made only when there is articulable reason to do so.

III. PROCEDURE

All Motor vehicle stops, whether they are for traffic violations, high-risk vehicle stops or other purposes require planning and caution on the part of the officer. Therefore, members of the force shall perform vehicle stops in a safe fashion, and as delineated herein.

- A. Once a determination has been made to stop a vehicle, the vehicle registration, shall be transmitted to the Police Desk along with a description of the vehicle, the number of occupants, and the nature of the stop. In addition, the location of the stop shall be transmitted to the Police Desk.

- B. Once properly stopped, the officer should position his/her vehicle about one-half (1/2) to one (1) car length behind the violator's vehicle and at a slight angle, with the front approximately two (2) feet to the traffic side of the violator's vehicle.

NOTE: At night, the spotlight should not be used to direct the violator but may be used to illuminate the vehicle's interior once stopped. The police vehicle should use its low beams if high beams would blind oncoming motorists.

- C. When exiting the patrol vehicle, the officer should be particularly alert to suspicious movements or actions of the vehicle operator or passengers.
- D. When approaching from the driver's side, the officer should be observant of the passenger compartment and stop at a point to the rear of the trailing edge of the left front door in order to communicate with the driver.
- E. Where circumstances dictate, particularly where traffic is close enough to create a potential problem, the officer may choose to approach the violator's vehicle from the right-hand side and stop at the trailing edge of the right front door.
- F. When the violator's vehicle has occupants in the rear seat, the officer should approach to a point near the leading edge of the left front door, being particularly observant of occupant movements and choosing a path that will not allow the occupants to thrust the door open against the officer.
- G. When two (2) police officers respond in the same vehicle the officer on the passenger side shall be responsible for radio communications. He will also act as an observer and cover for his partner.
- H. Plainclothes officers operating unmarked patrol vehicles with concealed emergency lights and siren shall not normally make vehicle stops for traffic violations. In situations where failure to act would create an unreasonable risk of injury, death or significant property damage, officers will contact the Police Desk, or Central Police Desk if appropriate, and request a marked patrol unit to make the stop. However, should the officers deem the situation an urgent one, the officers shall activate their vehicle's emergency lights and siren to make a traffic stop.

- I. Plainclothes officers operating vehicles not equipped with emergency lights or siren shall not make motor vehicle stops unless there is imminent danger of loss of life should they fail to act. In other less urgent cases that demand attention, officers should contact the Police Desk or Central Police Desk if appropriate, and request that a marked unit perform the stop, and assist in directing the marked unit to the subject vehicles location.

IV. MAKING HIGH-RISK VEHICLE STOP:

It is recognized that certain vehicle stops can be high risk in nature. Therefore, the following steps shall be employed when initiating a vehicle stop, where a member of the force believes that the occupants may be armed and dangerous or wanted for a crime.

- A. Once a determination has been made to stop a vehicle, the vehicle registration, shall be transmitted to the Police Desk along with a description of the vehicle, the number of occupants, and the nature of the stop. In addition, the location of the stop shall be transmitted to the Police Desk.
- B. The officer shall request for assistance before stopping the suspect vehicle.

NOTE: No officer shall individually initiate high-risk vehicle stops unless back up units are not available in an appropriate amount of time, or the urgency of the situation demands immediate action.

- C. After selecting an appropriate location, and with adequate support units in position, the officer should signal the suspect to stop.
- D. Officers should position their vehicles approximately (30) thirty feet behind the suspect vehicle, in positions that will maximize opportunities for cover and in a manner that will illuminate the interior of the vehicle to the suspect's disadvantage.
- E. The officer initiating the stop, or the officer with the best observation point, should issue verbal commands to vehicle suspects through the vehicles public address system, if available. Only one (1) officer will issue commands.
- F. Once the suspect vehicle has stopped, officers should exit their vehicles quickly and assume positions of cover.

- G. The officer in charge shall identify himself and then notify the occupants that they are considered to be armed and dangerous or wanted for a crime. If the occupants will be placed under arrest the officer in charge should let the occupants know at this time along with any other instructions he has for them.

- H. The operator of the suspect vehicle should be ordered in separate commands to comply with the following instructions:
 - 1. Lower his window.
 - 2. Remove the ignition key with his left hand and drop them on the ground.
 - 3. Open the door from the outside, step out of the vehicle and turn complete around, face away from the officers.
 - 4. Walk backward until commanded to stop.
 - 5. The operator should be searched and handcuffed in the rear.
 - 6. With appropriate cover, officers should then approach the suspect vehicle to inspect the passenger compartment and trunk (if appropriate by law)

V. ISSUING SUMMONS:

When issuing a summons, conducting roadside sobriety tests or talking to motorists, the officer and other parties shall be positioned to the side of the road, clear of traffic. At no time shall officers stand in front of, between or behind the stopped vehicles. In addition, the following shall be adhered to.

- A. During the stop, the violator or motorist should remain in his motor vehicle while the officer writes the summons or conducts other business. Violators or motorists should not be permitted to sit in patrol vehicles while summonses are being written or other business is being conducted.

- B. When preparing a summons, the officer should position his/her paperwork in a manner that allows the officer to maintain vantage over actions of the violator and other occupants.

VI. STOPPING OVERSIZE AND OVERWEIGHT VEHICLES:

When an officer stops a commercial oversized, or overweight vehicle the following procedures should be followed:

- A. Select a location for the stop that provides enough room for the vehicle and sufficient stability to support the vehicle's weight, and allow the operator sufficient time and distance to make the stop.
- B. Approach the cab from the rear, using the driver's outside mirror to observe the driver and any activity in the cab.
- C. Never climb onto the vehicle to make contact with the operator. The officer should maintain a position to the rear of the driver's door and ask him to exit the vehicle, if and when necessary. The officer should always insure that the operator has applied the brakes of the vehicle.
- D. If a summons is to be issued to the operator of the vehicle the officer should follow the instructions in (Section V).

This Interim Order shall remain in effect until such time that a Police Operations Instruction (POI) is published concerning the Mobile Data Terminals.

By order of:

APPROVED BY THE OFFICE
OF SUPT. OF POLICE


Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



INTERIM ORDER

I. PURPOSE:

The purpose of this policy is to emphasize the needs of the victims of crime and non-criminal incidents and the responsibility of the Port Authority Police to provide support, information and guidance for these individuals.

II. POLICY

Port Authority Police Officers are often in a unique position to provide assistance to victims of crime and other traumatic incidents that may have both immediate and long-term impact on their emotional recovery. Also, victims who feel that they were treated with understanding and concern for their hardship and suffering more frequently become enthusiastic about cooperating with the investigation and assisting in the prosecution

III. PROCEDURES:

A. Safety and Security

1. All officers shall be responsible for securing the crime or incident scene to protect lives, evidence and ensure safety (in accordance with POI 5-13).
2. Officers shall render emergency aid to individuals who have suffered physical injuries, and shall as soon as possible, summon any medical assistance.
3. Where physical injuries are not apparent, victims shall be asked if they are injured and whether medical attention is required.
4. In order to reduce fright and promote victim communication, victims should be informed as soon as appropriate that they are no longer in immediate danger.

5. Recognizing that victims often suffer physical and/or emotional shock, Port Authority officers shall assist them in making decisions and keep them informed of police actions and requirements.
6. Whenever possible, police officers should not leave a distraught victim alone. The supervisor on scene should insure that an officer, relative, or friend join the victim for emotional support and comfort.

B. Providing Emotional Support

In order to calm and assist the victim in regaining composure officers shall;

1. Always allow the victim a reasonable period of time in which to express their feelings and emotions while describing what happened during the incident;
2. Express empathy for the victim and recognition and understanding for emotional reactions;
3. Provide reassurance that the victim's feelings are normal and understandable;
4. Not be overtly judgmental of the victim's feelings and emotions or the apparent lack thereof, or of victim judgments or actions related to the incident;
5. Help redirect any self blame and responsibility for the criminal act from the victim to the perpetrator, and
6. Emphasize the Port Authority Police commitment and yours to assist and work with the victim.

C. Information and Referral:

Before leaving the scene it is important that officers take the steps necessary to meet victim's needs for support and information to include:

1. Provide a brief overview of what actions will be taken shortly thereafter, and answering such questions as "will a criminal investigator contact the victim?" Will lineups or showups be held?"
2. Provide information on victim service agencies available in the community; and

3. Leaving names and telephone numbers where the victim can reach the officer or the detective assigned to the case. Also, encouraging the victim to use the number to report additional information about the incident or to request information or assistance.

D. Follow-Up

Lack of information about the status of a case is one of the greatest sources of dissatisfaction among victims of crime and victims survivors. Therefore, detectives assigned to criminal investigations shall make routine victim callbacks in order to determine whether the victim has new information concerning the case, to ascertain whether the victim is in need of assistance from outside sources or the department, and to relay information relating to such matters as:

1. The status of stolen, recovered or removed property
2. The arrest and detention of suspects and their pretrial release status
3. The victim's possible eligibility for victim's compensation
4. Court restraining orders
5. Court proceedings and schedules

By order of:

APPROVED BY THE OFFICE
OF SUPT. OF POLICE


Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



INTERIM ORDER

Detection and apprehension are vital parts of law enforcement. However, the apprehension of individuals, whether it be for criminal or minor traffic offense, will invariably rise legal as well as civil issues. In fact, if not executed properly, the apprehension of an individual can put a police officer and a police department in the middle of unnecessary civil litigation. Therefore, this department will adhere to the following:

I. PURPOSE:

The purpose of this Interim Order is to establish a standardized method of requesting and performing wanted/missing person inquiries.

II. POLICY

It shall be the policy of this department that whenever a member of the force effects an arrest, or comes in contact with a possible missing person, a wanted/missing person inquiry shall be requested from the Telecommunications Unit. This procedure shall be followed with all types of arrests: New York on-line arrests, Desk Appearance Tickets (DAT), New Jersey CDR-1 & 2 (Summons or Warrant), and suspended driver arrests.

III. PROCEDURES:

Upon receipt of such requests, the Telecommunication Unit shall query the wanted/missing persons files' corresponding to the geographical area the subject is being arrested or detained in. The query shall be made of the systems as delineated below:

A. New York

1. NYSPIN (provides NCIC)
2. New York City Police Warrants Applications (within NYC only)
3. Unified Court Application

B. New Jersey

1. CJCJIS (provides NCIC)
2. Automated Complaint System (ACS)
3. Automated Traffic System (ATS)

NOTE: In cases where there is a positive response to an inquiry (*HIT*), all hit confirmation procedures shall be followed.

IV. POSITIVE RESPONSES:

All positive responses shall be handled in the manner prescribed in established Hit Confirmation Procedures. In addition, the following shall be adhered to as it pertains to ATS/ACS warrants:

1. Traffic Warrants stored in ATS:

In the event that the issuing jurisdiction does not want to pick up a subject for a traffic warrant, the subject is to be released and directed to contact the issuing municipal court. However, in cases where the agency is willing to pick up, but because of manpower constraints, are unable to pick up immediately, the subject will be lodged at the command, if permissible, for no more than one hour. At the end of the one hour waiting period if the subject has not been picked up, the issuing agency shall be notified via a telephone call, and administrative message that the subject will be released as a result of their failure to pick up the subject.

2. Criminal Warrants stored in ACS:

In the event that the issuing jurisdiction is unable to pick up a subject within one hour, the subject is to be committed to the county jail. The issuing jurisdiction is to be advised of the committal.

3. Criminal Warrant Execution:

Warrant execution is the equivalent of an NCIC locate.

Telecommunications personnel will indicate that a warrant has been executed only when the pick-up is made from one of the Department's commands. If subject is committed, the county jail is responsible for executing the warrant, as the subject is now in their custody.

Subject: Wanted/Missing Person Inquires

I.O. 10-00

Date: 03/20/00

Page 3 of 3

To: All Members of the Force

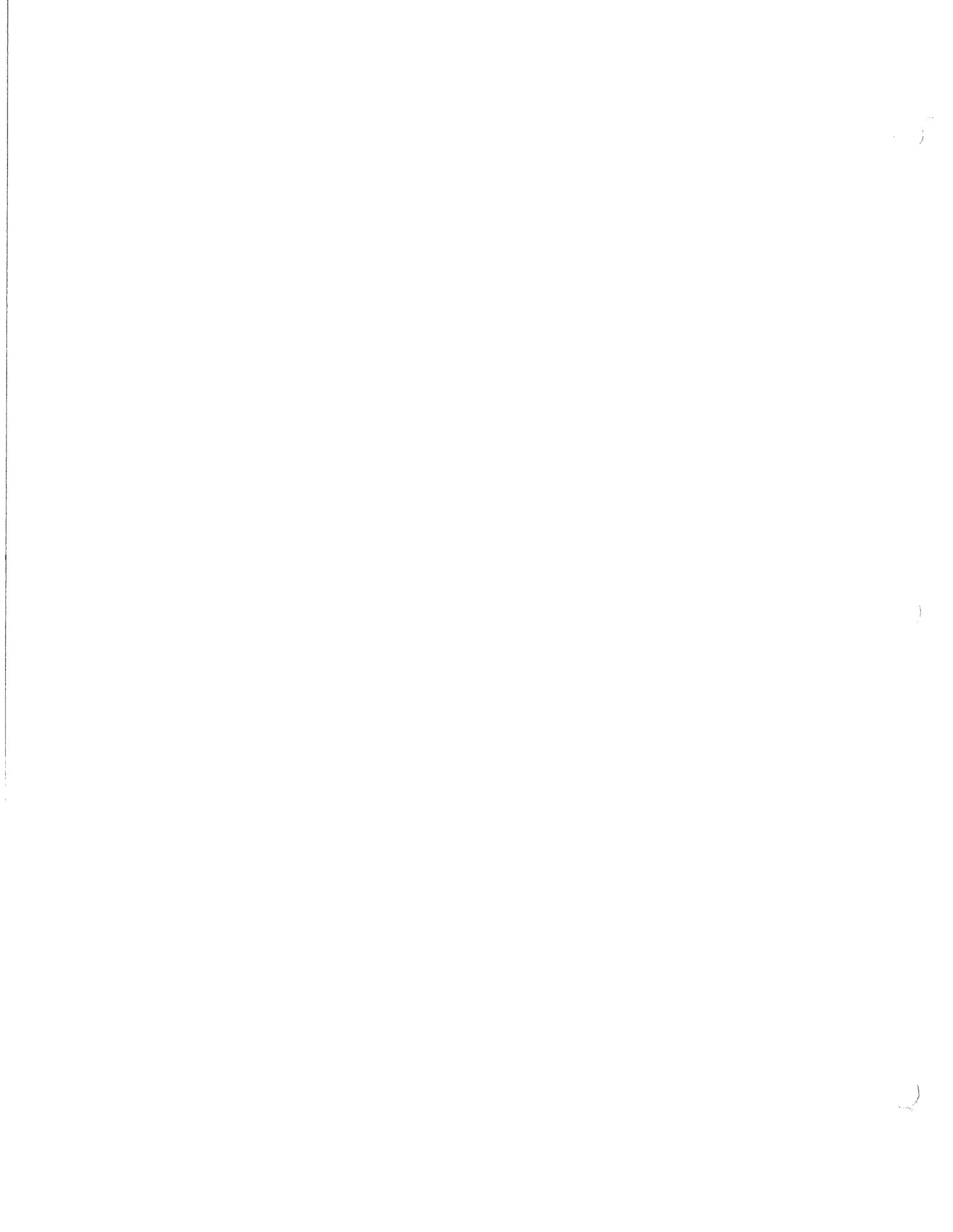
Note: Since the municipal courts are the entering agents for ATS/ACS, these warrants can only be physically confirmed during regular business hours. During after-hours, on weekends and holidays, departments have to rely on the computer screen warrant. Therefore, members shall be guided accordingly.

This Interim Order shall remain in effect until such time that a Police Operations instruction (POI) is published concerning Wanted/Missing Person Inquiries.

By order of:

APPROVED BY THE OFFICE
OF SUPT. OF POLICE


Fred V. Morrone
Director, Public Safety Department
Superintendent of Police



To: All Members of the Force



INTERIM ORDER

POLICY PROHIBITING "RACIALLY-INFLUENCED POLICING"

I. PURPOSE:

No sworn law enforcement officer or civilian employee of this department shall engage in or tolerate any practice or act constituting "racially-influenced" policing.

II. POLICY:

Conduct Constituting Racially-Influenced Policing:

A sworn law enforcement officer or civilian employee of this department shall not consider a person's race or ethnicity as a factor in drawing an inference or conclusion that the person may be involved in criminal activity, or as a factor in exercising police discretion as to whether or how to stop or otherwise treat the person, except when responding to a suspect-specific or investigation-specific "Be On The Lookout" (B.O.L.O.) situation.

Nothing in this policy shall be construed to prohibit a police officer or civilian employee of this department from taking into account a person's race or ethnicity when the race or ethnicity is used to describe physical characteristics that identify a particular individual or individuals who is/are the subject of a law enforcement investigation, or who is/are otherwise being sought by a law enforcement agency in furtherance of a specific investigation or prosecution.

Any sworn law enforcement officer or a civilian employee of this department that violates this policy shall be subject to discipline.

By Order of:

A handwritten signature in black ink, appearing to read "Samuel J. Plumeri, Jr.", written over a horizontal line.

Samuel J. Plumeri, Jr.,
Superintendent of Police/
Director, Public Safety Department



INTERIM ORDER

PURPOSE

To investigate, search for, refer, and record complaints of missing persons. It is imperative that missing and unidentified persons investigations be given the appropriate degree of priority treatment. Follow-up investigations and public safety activities should be timely and comprehensive. The victim's family should be kept informed of the progress of the investigation and family referrals to the appropriate support services should be made as required.

DEFINITIONS

MISSING PERSON - Person missing from any location at Port Authority of NY & NJ Facility, where an employee or transient:

- Under eighteen (18) years of age, OR
- Mentally or physically impaired to the extent that hospitalization may be required, OR
- Senile, retarded or disabled and not capable of self-care or clear communication, OR
- Sixty-five (65) years of age or older, OR
- Possible victim of drowning, OR
- Indicated an intention of committing suicide, OR
- Absent under circumstances indicating unaccountable or involuntary disappearance.

NOTE

Missing person complaints WILL BE ACCEPTED for persons missing from temporary residences within Port Authority of NY & NJ facility (hotels, rooming houses, etc.). However, complainants will also be instructed to report such cases to the local police agency covering the permanent residence of the missing person. **UNDER NO CIRCUMSTANCES WILL COMPLAINANTS BE REFERRED DIRECTLY TO THE MISSING PERSONS SQUAD.** Missing persons DO NOT INCLUDE the following:

- a. Persons wanted for crimes, OR
- b. Persons wanted on warrants, OR
- c. Persons eighteen (18) years of age or older, who have left home voluntarily because of domestic, financial or similar reasons

These exclusions are intended for persons who are likely to have fled VOLUNTARILY as a direct result of their status (e.g. A person wanted for a crime fleeing to avoid prosecution). However, the exclusions listed above shall not be used as a justification for failing to accept missing persons report when the totality of the circumstances indicates that a person may in fact be missing."

PROCEDURE

Upon receiving a complaint of a missing person all available law enforcement resources must be utilized in an appropriate fashion to ensure that all necessary steps are taken to protect our children and other missing persons.

UNIFORMED MEMBER OF THE FORCE

- Respond to the scene, interview complainant and obtain:
 - a. An accurate description of the subject.
 - b. Clothing worn.
 - c. Location where last seen.
 1. If missing person is believed to be using public transportation, obtain information on the type of transportation, route and possible destination(s).
 - d. Administration for Children's Services caseworker's name and telephone number, if applicable.
 - e. Biological parents' name, address and telephone number, as appropriate.
 - f. Ascertain whether missing person has Alzheimer's disease and is registered with the Alzheimer's' Association Safe Return Program, as appropriate.
 1. If so, determine whether person was wearing a Safe Return wristband or necklace and request that complainant provide the Safe Return identification number.

- a. If the identification number is unknown, the responding member will call the Alzheimer's Association at (800) 272-3900 to obtain the number and any other information the Association has on the missing person.

NOTE

There are no minimum time limits that must be observed before accepting a report of a missing person. However, when a person sixty-five (65) years of age and older, or a child less than ten (10), or a senile/disabled person is missing from a hospital or institution, **PRIOR TO INITIATING ANY OTHER ACTION, AN INITIAL SEARCH OF THE BUILDING WILL BE CONDUCTED TO VERIFY THAT SUCH PERSONS ARE ACTUALLY MISSING.** A complainant could be, in addition to a member of the family, a legal or temporary guardian, a representative of the Board of Education, or a hospital administrator.

UNIFORMED MEMBER OF THE FORCE — CONTINUED

- Request patrol supervisor to respond and initiate search at location where missing person was last observed. The patrol supervisor will request additional personal, as required. (Emergency Service Unit & Aviation Unit)
- As soon as a juvenile or adult is reported missing, pertinent information and identifying characteristics regarding the missing person shall be entered immediately into the National Crime Information Center missing person files (NCIC).
- Notify POLICE DESK of details and request broadcast description of missing person to members on patrol.

POLICE DESK

- Check with arrest and aided records to determine if missing person has been the subject of police action.
- Notify Police of residence, for preparation of required reports, when applicable, unless an immediate investigation and/or search for the missing person are required. In these instances, the Police of residence shall be notified after the search.
- Notify PAPD detective squad.
- Notify Central Police Desk
 - a. To issue a web browser message.
 - b. To notify all PAPD Commands.

WHEN IMMEDIATE INVESTIGATION AND/OR SEARCH IS REQUIRED

NOTE

An immediate investigation and/or search is required for the following "special category" missing persons:

- a. Child under sixteen (16) years of age, OR
- b. Mentally/physically impaired to the extent that hospitalization may be required, OR
- c. Senile, retarded or disabled and not capable of self-care or clear communication, OR
- d. Sixty-five (65) years of age or older, OR
- e. Unique/unusual case, OR
- f. Missing under circumstances indicating unaccountable or involuntary disappearance, OR
- g. Possible drowning victim.

- The Police Desk will maintain a Crono of the "Special Category" missing persons.
- The Tour Commander will notify the Commanding Officer and the Operations Captain of the "Special Category" missing persons.
- The Tour Commander will effectively calm the family of missing persons and reduce their fear through direct ongoing communication regarding the missing person incident. Reassure the family that the department in addressing the incident and will utilize appropriate investigative and enforcement methods.

SUBJECT OF A CRIME - When a person reported missing or unidentified is found to be the subject of a crime; the investigating detective units will take prompt investigative action.

1. For missing persons, obtain dental x-rays and charts, and medical information, including body x-rays. All x-rays shall be secured as evidence with copies made for investigative purposes.
2. In the event that decomposed or skeletal unidentified human remains are located the medical examiners office is to be called
3. Immediately entering information into the National Crime Information Center (NCIC) Missing Person File and as soon as the individual identifying characteristics became available for the Unidentified Person File.

THE PORT AUTHORITY OF NY & NJ

POLICE ACADEMY

RECRUIT GUIDEBOOK 2013

MICHAEL A. FEDORKO

SUPERINTENDENT OF POLICE

LOUIE KOUMOUTSOS

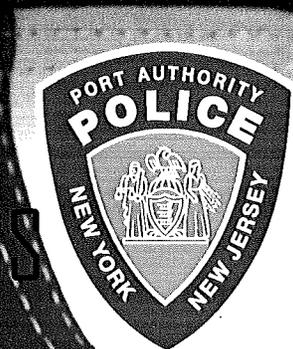
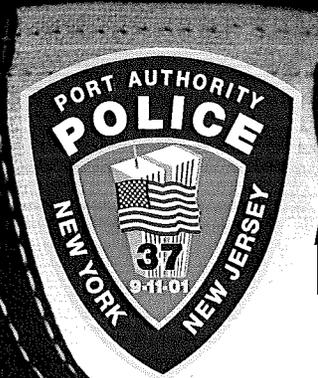
CHIEF OF DEPARTMENT

MICHAEL BROWN

CAPTAIN / COMMANDING OFFICER

POLICE ACADEMY

PRIDE. SERVICE. DISTINCTION



11200 CLASS

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THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

MISSION STATEMENT

TO IDENTIFY AND MEET THE CRITICAL
TRANSPORTATION INFRASTRUCTURE NEEDS
OF THE BISTATE REGION'S BUSINESSES,
RESIDENTS AND VISITORS,
PROVIDING THE HIGHEST QUALITY, MOST
EFFICIENT TRANSPORTATION AND
PORT COMMERCE FACILITIES AND SERVICES
THAT MOVE PEOPLE AND GOODS WITHIN THE REGION,
PROVIDE ACCESS TO THE REST OF THE NATION AND
TO THE WORLD, AND STRENGTHEN THE
ECONOMIC COMPETITIVENESS OF
THE NEW YORK-NEW JERSEY METROPOLITAN REGION.

COMMISSIONERS OF THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

Hon. David Samson
Chairman

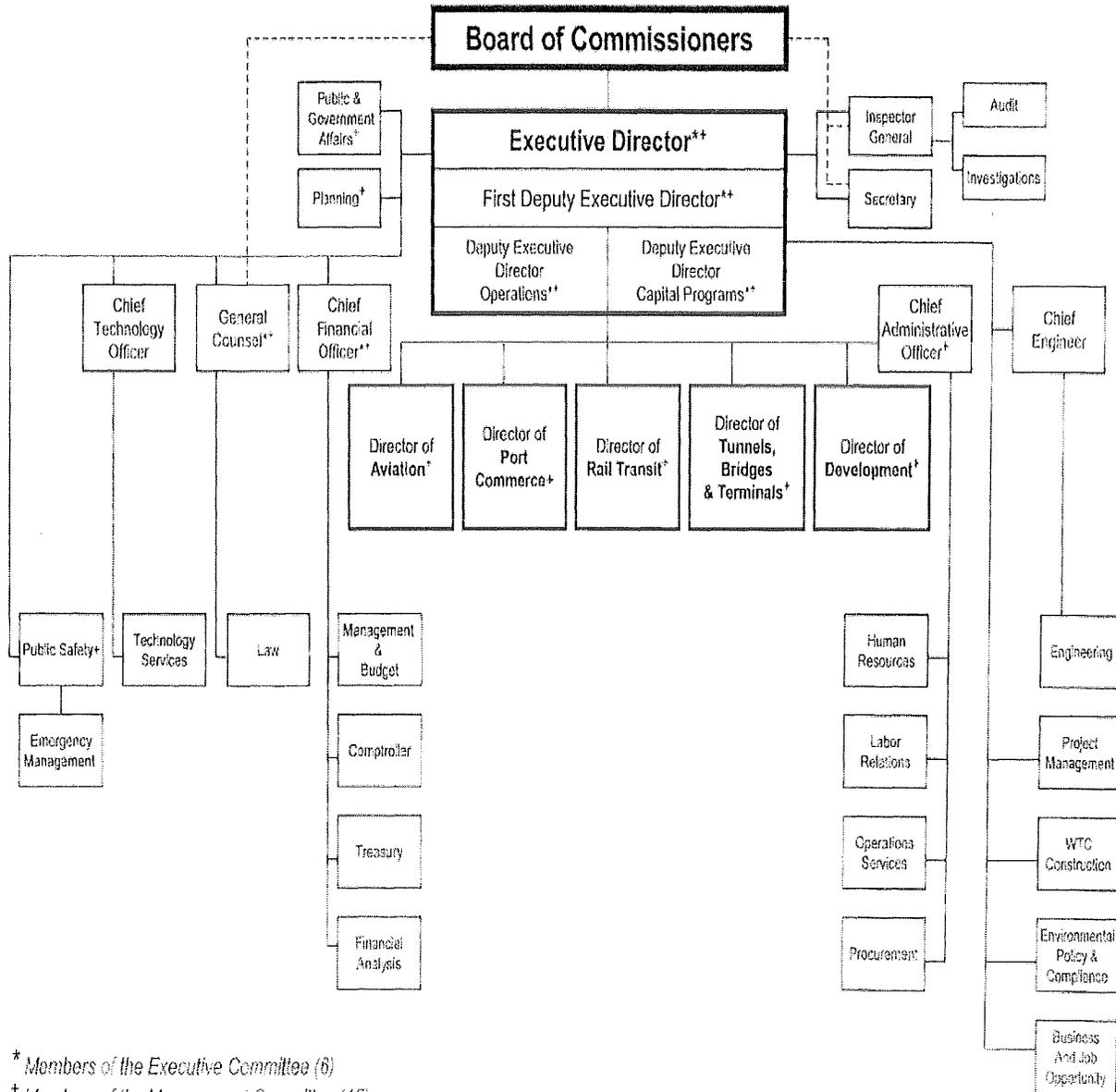
Hon. Scott H. Rechler
Vice Chairman

COMMISSIONERS

Hon. Richard H. Bagger
Hon. Kenneth Lipper
Hon. Jeffrey H. Lynford
Hon. Jeffrey A. Moerdler
Hon. Basil A. Paterson

Hon. Raymond M. Pocino
Hon. Rossana Rosado
Hon. Anthony J. Sartor
Hon. William "Pat" Schuber
Hon. David S. Steiner

PORT AUTHORITY OF NEW YORK & NEW JERSEY ORGANIZATION CHART



* Members of the Executive Committee (6)

+ Members of the Management Committee (15)

COMPACT BETWEEN THE STATES OF NEW YORK AND NEW JERSEY

1921

For the Creation of the "Port of New York District" and the Establishment of the Authority for the comprehensive development of the "Port of New York"

Entered into Pursuant to Chapter 154, Laws-of New York, 1921; Chapter 151, Laws of New Jersey, 1921

Whereas, In the year eighteen hundred and thirty-four the states of New York and New Jersey did enter into an agreement fixing and determining the rights and obligations of the two states in and about the waters between the two states, especially in and about the bay of New York and the Hudson river; and

Whereas, Since that time the commerce of the port of New York has greatly developed and increased and the territory in and around the port has become commercially one center or district; and

Whereas, It is confidently believed that a better co-ordination of the terminal, transportation and other facilities of commerce in, about and through the port of New York, will result in great economies, benefiting the nation, as well as the states of New York and New Jersey; and

Whereas, The future development of such terminal, transportation and other facilities of commerce will require the expenditure of large sums of money and the cordial co-operation of the states of New York and New Jersey in the encouragement of the investment of capital, and in the formulation and execution of the necessary physical plans; and

Whereas, Such result can best be accomplished through the cooperation of the two states by and through a joint or common agency;

Now, Therefore, The said states of New Jersey and New York do supplement and amend the existing agreement of eighteen hundred and thirty-four in the following respects:

ARTICLE I.

They agree to and pledge, each to the other, faithful co-operation in the future planning and development of the port of New York, holding in high trust for the benefit of the nation the special blessings and natural advantages thereof.

ARTICLE II.

To that end the two states do agree that there shall be created and they do hereby create a district to be known as the "Port of New York District" (for brevity hereinafter referred to as "The District") which shall embrace the territory bounded and described as follows:

The district is included within the boundary lines located by connecting points of known latitude and longitude. The approximate courses and distances of the lines enclosing the district are recited in the description, but the district is determined by drawing lines through the points of known latitude and longitude. Beginning at a point A of latitude forty-one degrees and four minutes north and longitude seventy-three degrees and fifty-six minutes west, said point being about sixty-five hundredths of a mile west of the westerly bank of the Hudson river and about two and one-tenth miles northwest of the pier at Piermont, in the county of Rockland, state of New York; thence due south one and fifteen-hundredths miles more or less to a point B of latitude forty-one degrees and three minutes north and longitude seventy-three degrees and fifty-six minutes west; said point being about one and three-tenths miles northwest of the pier at Piermont, in the county of Rockland, state of New York; thence south fifty-six degrees and thirty-four minutes west six and twenty-six hundredths miles more or less to a point C of latitude forty-one degrees and no minutes north and longitude seventy-four degrees and two minutes west, said point being about seven-tenths of a mile north of the railroad station at Westwood, in the county of Bergen, state of New Jersey; thence south sixty-eight degrees and twenty-four minutes west nine and thirty-seven-hundredths miles more or less to a point D of latitude forty degrees and fifty-seven minutes north and longitude seventy-four degrees and twelve minutes west, said point being about three miles northwest of the business center of the city of Paterson, in the county of Passaic, state of New Jersey; thence south forty-seven degrees and seventeen minutes west eleven and eighty-seven-hundredths miles more or less to a point E of latitude forty degrees and fifty minutes north, and longitude seventy-four degrees and twenty-two minutes west, said point being about four and five-tenths miles west of the borough of Caldwell, in the county of Morris, state of New Jersey; thence due south nine and twenty-hundredths miles more or less to a point F of latitude forty degrees and forty-two minutes north and longitude seventy-four degrees and twenty-two minutes west, said point being about one and two-tenths miles southwest of the passenger station of the Delaware, Lackawanna and Western railroad in the city of Summit, in the county of Union, state of New Jersey; thence south forty-two degrees and twenty-four minutes west, seven and seventy-eight-hundredths miles more or less to a point G of latitude forty degrees and thirty-seven minutes north and longitude seventy-four degrees and twenty-eight minutes west, said point being about two and two-tenths miles west of the business center of the city of Plainfield, in the county of Somerset, state of New Jersey; thence due south twelve and sixty-five-

hundredths miles more or less on a line passing about one mile west of the business center of the city of New Brunswick to a point H of latitude forty degrees and twenty-six minutes north and longitude seventy-four degrees and twenty-eight minutes west, said point being about four and five-tenths miles southwest of the city of New Brunswick, in the county of Middlesex, state of New Jersey; thence south seventy-seven degrees and forty-two minutes east ten and seventy-nine-hundredths miles more or less to a point I of latitude forty degrees and twenty-four minutes north and longitude seventy-four degrees and sixteen minutes west, said point being about two miles southwest of the borough of Matawan, in the county of Middlesex, state of New Jersey; thence due east twenty-five and forty-eight-hundredths miles more or less, crossing the county of Monmouth, state of New Jersey, and passing about one and four-tenths miles south of the pier of the Central Railroad of New Jersey at Atlantic Highlands to a point J of latitude forty degrees and twenty-four minutes north and longitude seventy-three degrees and forty-seven minutes west, said point being in the Atlantic ocean; thence north eleven degrees fifty-eight minutes east twenty-one and sixteen-hundredths miles more or less to a point K, said point being about five miles east of the passenger station of the Long Island Railroad at Jamaica and about one and three-tenths miles east of the boundary line of the city of New York; in the county of Nassau, state of New York; thence in a northeasterly direction passing about one-half mile west of New Hyde Park and about one and one-tenth miles east of the shore of Manhasset bay at Port Washington, crossing Long Island Sound to a point L, said point being the point of intersection of the boundary line between the states of New York and Connecticut and the meridian of seventy-three degrees, thirty-nine minutes and thirty seconds west longitude, said point being also about a mile northeast of the village of Port Chester; thence northwesterly along the boundary line between the states of New York and Connecticut to a point M, said point being the point of intersection between said boundary line between the states of New York and Connecticut and the parallel of forty-one degrees and four minutes north latitude, said point also being about four and five-tenths miles northeast of the business center of the city of White Plains; thence due west along said parallel, of forty-one degrees and four minutes north latitude, the line passing about two and one-half miles north of the business center of the city of White Plains and crossing the Hudson river to the point A the place of beginning.

The boundaries of said district may be changed from time to time by the action of the legislature of either state concurred in by the legislature of the other.

ARTICLE III.

There is hereby created "The Port of New York Authority" (for brevity hereinafter referred to as the "Port Authority"), which shall be a body corporate and politic, having the powers and jurisdiction hereinafter enumerated, and such other and additional powers as shall be conferred upon it by the legislature of either state concurred in by the legislature of the other, or by act or acts of congress, as hereinafter provided. On and after July first, nineteen hundred seventy-two, the port authority shall be known and designated as "The Port Authority of New York and New Jersey."

ARTICLE IV.

The port authority shall consist of twelve commissioners, six resident voters from the state of New York, at least four of whom shall be resident voters of the city of New York, and six resident voters from the state of New Jersey, at least four of whom shall be resident voters within the New Jersey portion of the district, the New York members to be chosen by the state of New York and the New Jersey members by the state of New Jersey in the manner and for the terms fixed and determined from time to time by the legislature of each state respectively, except as herein provided. Each commissioner may be removed or suspended from office as provided by the law of the state for which he shall be appointed.

ARTICLE V.

The commissioners shall, for the purpose of doing business, constitute a board and may adopt suitable by-laws for its management.

ARTICLE VI.

The port authority shall constitute a body, both corporate and politic, with full power and authority to purchase, construct, lease and /or operate any terminal or transportation facility within said district; and to make charges for the use thereof; and for any of such purposes to own, hold, lease and/or operate real or personal property, to borrow money and secure the same by bonds or by mortgages upon any property held or to be held by it. No property now or hereafter vested in or held by either state, or by any county, city, borough, village, township or other municipality, shall be taken by the port authority, without the authority or consent of such state, county, city, borough, village, township or other municipality, nor shall anything herein impair or invalidate in any way any bonded indebtedness of such state, county, city, borough, village, township or other municipality, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property, or dedicating the revenues derived from any municipal property to a specific purpose.

The powers granted in this article shall not be exercised by the port authority until the legislatures of both states shall have approved of a comprehensive plan for the development of the port as hereinafter provided.

ARTICLE VII.

The port authority shall have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of either state concurred in by the legislature of the other. Unless and until otherwise provided, it shall make an annual report to the legislature of both states, setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder.

The port authority shall not pledge the credit of either state except by and with the authority of the legislature thereof.

ARTICLE VII A.

The port authority shall file with the temporary president and minority leader of the senate and the speaker and minority leader of the assembly, the chairman of the assembly ways and means committee and the chairman of the senate finance committee of the state of New York and the president, minority leader and secretary of the senate and the speaker, minority leader and clerk of the general assembly of the state of New Jersey a copy of the minutes of any action taken at any public meeting of the port authority. Such filing shall be made on the same day such minutes are transmitted to the governor of each state for review; and notice of such filing shall be provided to the governor of each state at the same time. Failure to effectuate any such filing shall not impair the ability of the authority to act pursuant to a resolution of its board. Such filing shall not apply to any minutes required to be filed pursuant to section twenty of chapter six hundred fifty-one of the laws of nineteen hundred seventy-eight.

The temporary president and minority leader of the senate, the speaker and minority leader of the assembly, the chairman of the assembly ways and means committee and the chairman of the senate finance committee of the state of New York and the speaker and minority leader of the general assembly and the president and the minority leader of the state of New Jersey, or representatives designated by them in writing for this purpose, may by certificate filed with the secretary of the port authority waive the foregoing filing requirement with respect to any specific minutes.

ARTICLE VIII.

Unless and until otherwise provided, all laws now or hereafter vesting jurisdiction or control in the public service commission, or the public utilities commission, or like body, within each state respectively, shall apply to railroads and to any transportation, terminal or other facility owned, operated, leased or constructed by the port authority, with the same force and effect as if such railroad, or transportation, terminal or other facility were owned, leased, operated or constructed by a private corporation.

ARTICLE IX.

Nothing contained in this agreement shall impair the powers of any municipality to develop or improve port and terminal facilities.

ARTICLE X.

The legislatures of the two states, prior to the signing of this agreement, or thereafter as soon as may be practicable, will adopt a plan or plans for the comprehensive development of the port of New York.

ARTICLE XI.

The port authority shall from time to time make plans for the development of said district, supplementary to or amendatory of any plan theretofore adopted, and when such plans are duly approved by the legislatures of the two states, they shall be binding upon both states with the same force and effect as if incorporated in this agreement.

ARTICLE XII.

The port authority may from time to time make recommendations to the legislatures of the two states or to the congress of the United States, based upon study and analysis, for the better conduct of the commerce passing in and through the port of New York, the increase and improvement of transportation and terminal facilities therein, and the more economical and expeditious handling of such commerce.

ARTICLE XIII.

The port authority may petition any interstate commerce commission (or like body), commission of transportation, public utilities commission (or like body), or any other federal, municipal, state or local authority, administrative, judicial or legislative, having jurisdiction in the premises, after the adoption of the comprehensive plan as provided for in article ten, for the adoption and execution of any physical improvement, change in method, rate of transportation, system of handling freight, warehousing, docking, lightering or transfer of freight, which, in the opinion of the port authority, may be designed to improve or better the handling of commerce in and through said district, or improve terminal and transportation facilities therein. It may intervene in any proceeding affecting the commerce of the port.

ARTICLE XIV.

The port authority shall elect from its number a chairman, vice-chairman, and may appoint such officers and employees as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

ARTICLE XV.

Unless and until the revenues from operations conducted by the port authority are adequate to meet all expenditures, the legislatures of the two states shall appropriate, in equal amounts, annually, for the salaries, office and other administrative expenses, such sum or sums as shall be recommended by the port authority and approved by the governors of the two

states, but each state obligates itself hereunder only to the extent of one hundred thousand dollars in any one year.

ARTICLE XV-A.

1. The legislature finds and declares that the right of the public to be present at meetings of the port authority of New York and New Jersey, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of the authority, is vital to the enhancement and proper functioning of the democratic process, and that secrecy in public affairs undermines the faith of the public in government and the public's effectiveness in fulfilling its role in a democratic society; and declares it to be the public policy of this state to insure the right of its citizens to have adequate advance notice of and the right to attend all meetings of the authority at which business affecting the public is discussed or acted upon in any way except only in those circumstances where otherwise the public interest would be clearly endangered or the personal privacy of guaranteed rights of individuals would be clearly in danger of unwarranted invasion.

2. As used in this act:

- a. "Board" means the board of commissioners of the Port Authority of New York and New Jersey.
- b. "Meeting" means any gathering, whether corporeal or by means of communication equipment, which is attended by, or open to, the board, held with intent, on the part of the board members present, to discuss or act as a unit upon the specific public business of the authority. "Meeting" does not mean a gathering (1) attended by less than an effective majority of the board, or (2) attended by or open to all the members of three or more similar public bodies at a convention or similar gathering.
- c. "Public business" mean matters which relate in any way, directly or indirectly, to the performance of the functions of the port authority of New York and New Jersey or the conduct of its business.

3. The board shall adopt and promulgate appropriate rules and regulations concerning the right of the public to be present at meetings of the authority. The board may incorporate in its rules and regulations conditions under which it may exclude the public from a meeting or a portion thereof.

Any rules or regulations adopted hereunder shall become a part of the minutes of the port authority of New York and New Jersey and shall be subject to the approval of the governor of New Jersey and the governor of New York.

ARTICLE XVI.

Unless and until otherwise determined by the action of the legislatures of the two states, no action of the port authority shall be binding unless taken at a meeting at which at

least three of the members from each state are present, and unless a majority of the members from each state present at such meeting but in any event at least three of the members from each state, shall vote in favor thereof. Each state reserves the right to provide by law for the exercise of a veto power by the governor thereof over any action of any commissioner appointed there from.

ARTICLE XVII.

Unless and until otherwise determined by the action of the legislatures of the two states, the port authority shall not incur any obligations for salaries, office or other administrative expenses, within the provisions of article fifteen, prior to the making of appropriations adequate to meet the same.

ARTICLE XVIII.

The port authority is hereby authorized to make suitable rules and regulations not inconsistent with the constitution of the United States or of either state, and subject to the exercise of the power of congress, for the improvement of the conduct of navigation and commerce, which, when concurred in or authorized by the legislatures of both states, shall be binding and effective upon all persons and corporations affected thereby.

ARTICLE XIX.

The two states shall provide penalties for violations of any order, rule or regulation of the port authority, and for the manner of enforcing the same.

ARTICLE XX.

The territorial or boundary lines established by the agreement of eighteen hundred and thirty-four, or the jurisdiction of the two states established thereby, shall not be changed except as herein specifically modified.

ARTICLE XXI.

Either state may by its legislature withdraw from this agreement in the event that a plan for the comprehensive development of the port shall not have been adopted by both states on or prior to July first, nineteen hundred and twenty-three; and when such withdrawal shall have been communicated to the governor of the other state by the state so withdrawing, this agreement shall be thereby abrogated.

ARTICLE XXII.

Definitions. The following words as herein used shall have the following meaning: "Transportation facility" shall include railroads, steam or electric, motor truck or other street or highway vehicles, tunnels, bridges, boats, ferries, car-floats, lighters, tugs, floating elevators,

barges, scows, or harbor craft of any kind, air craft suitable for harbor service, and every kind of transportation facility now in use or hereafter designed for use for the transportation or carriage of persons or property. "Terminal facility" shall include wharves, piers, slips, ferries, docks, dry docks, bulkheads, dock-walls, basins, car-floats, float-bridges, grain or other storage elevators, warehouses, cold storage, tracks, yards, sheds, switches, connections, overhead appliances, and every kind of terminal or storage facility now in use or hereafter designed for use for the handling, storage, loading or unloading of freight at steamship, railroad or freight terminals. "Railroads" shall include railways, extensions thereof, tunnels, subways, bridges, elevated structures, tracks, poles, wires, conduits, power houses, substations, lines for the transmission of power, car-barns, shops, yards, sidings, turn-outs, switches, stations and approaches thereto, cars and motive equipment. "Facility" shall include all works, buildings, structures, appliances and appurtenances necessary and convenient for the proper construction, equipment, maintenance and operation of such facility or facilities or any one or more of them. "Real property" shall include land under water, as well as uplands, and all property either now commonly or legally defined as real property or which may hereafter be so defined. "Personal property" shall include choses in action and all other property now commonly or legally defined as personal property or which may hereafter be so defined. "To lease" shall include to rent or to hire. "Rule or regulation," until and unless otherwise determined by the legislatures of both states, shall mean any rule or regulation not inconsistent with the constitution of the United States or of either state, and, subject to the exercise of the power of congress, for the improvement of the conduct of navigation and commerce within the district, and shall include charges, rates, rentals or tolls fixed or established by the port authority; and until otherwise determined as aforesaid, shall not include matters relating to harbor or river pollution. Wherever action by the legislature of either state is herein referred to, it shall mean an act of the legislature duly adopted in accordance with the provisions of the constitution of the state.

Plural or singular. The singular wherever used herein shall include the plural.

Consent, approval or recommendation of municipality; how given. Wherever herein the consent, approval or recommendation of a "municipality" is required, the word "municipality" shall be taken to include any city or incorporated village within the port district, and in addition in the state of New Jersey any borough, town, township or any municipality governed by an improvement commission within the district. Such consent, approval or recommendation whenever required in the case of the city of New York shall be deemed to have been given or made whenever the board of estimate and apportionment of said city or any body hereafter succeeding to its duties shall by majority vote pass a resolution expressing such consent, approval or recommendation; and in the case of any municipality now or hereafter governed by a commission, whenever the commission thereof shall by majority vote pass such a resolution; and in all other cases whenever the body authorized to grant consent to the use of the streets or highways of such municipality shall by a majority vote pass such a resolution.

IN WITNESS WHEREOF we have hereunto set our hands and seals under Chapter 154 of the Laws of 1921 of the State of New York; and Chapter 151 of the Laws of 1921 of the State of New Jersey, this thirtieth day of April, 1921.

WILLIAM R. WILLCOX	(L.S.)	J. SPENCER SMITH	(L.S.)
EUGENIUS H. OUTERBRIDGE	(L.S.)	DEWITT VAN BUSKIRK	(L.S.)
		FRANK R. FORD	(L.S.)
CHARLES D. NEWTON	(L.S.)	THOMAS F. McCRAN	(L.S.)

IN THE PRESENCE OF:

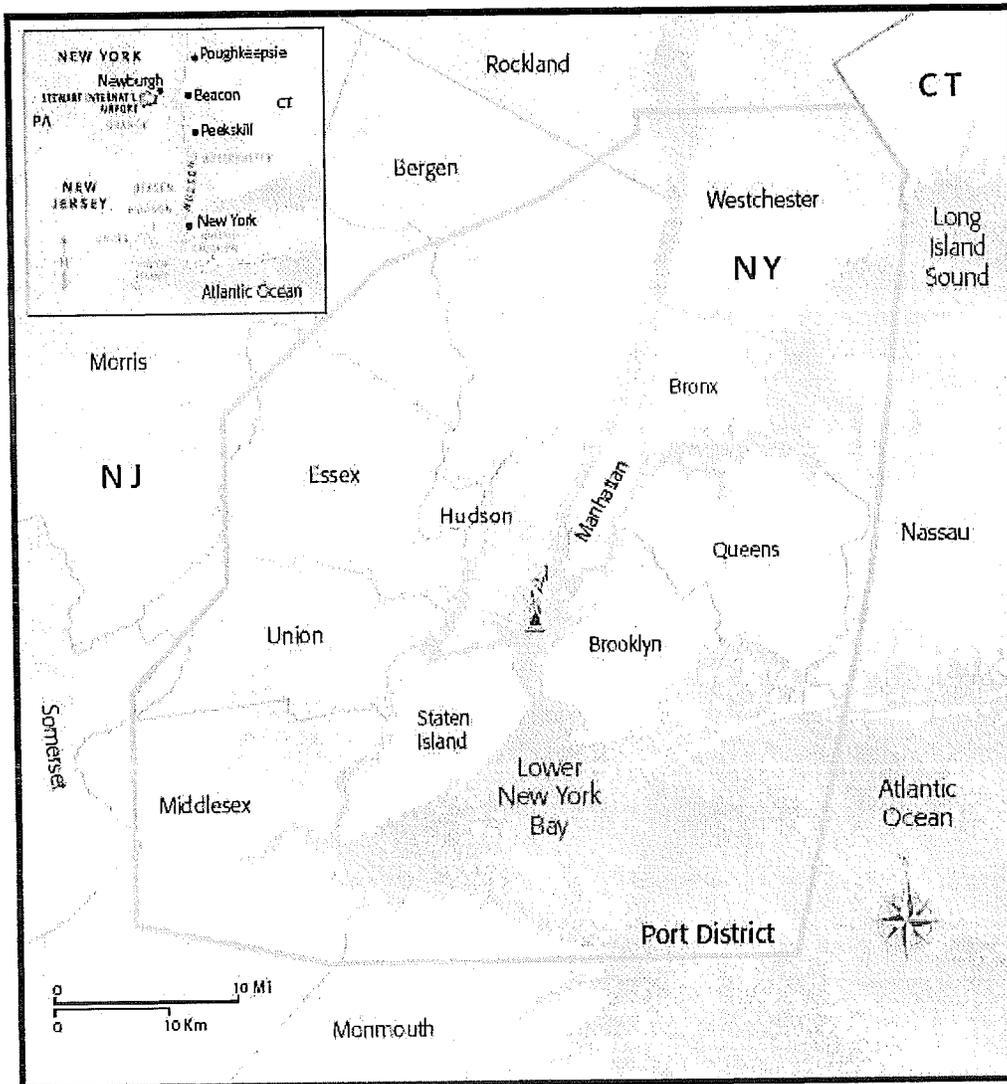
NATHAN L. MILLER	CLARENCE E. CASE
WALTER E. EDGE	D.P. KINGSLEY
ALFRED E. SMITH	IRVING T. BUSH
CHARLES S. WHITMAN	ARTHUR N. PIERSON
WILLIAM M. CALDER	JULIUS HENRY COHEN
LEWIS H. POUNDS	

In whose presence Messrs. Willcox, Outerbridge, Smith, Van Buskirk, Ford and McCran signed in the Great Hall of the Chamber of Commerce in the City of New York on the thirtieth day of April, 1921. Attorney General Newton being at that time absent from the City, he signed on the sixth day of May, 1921, at the Chamber, in the presence of:

WILLIAM LEARY

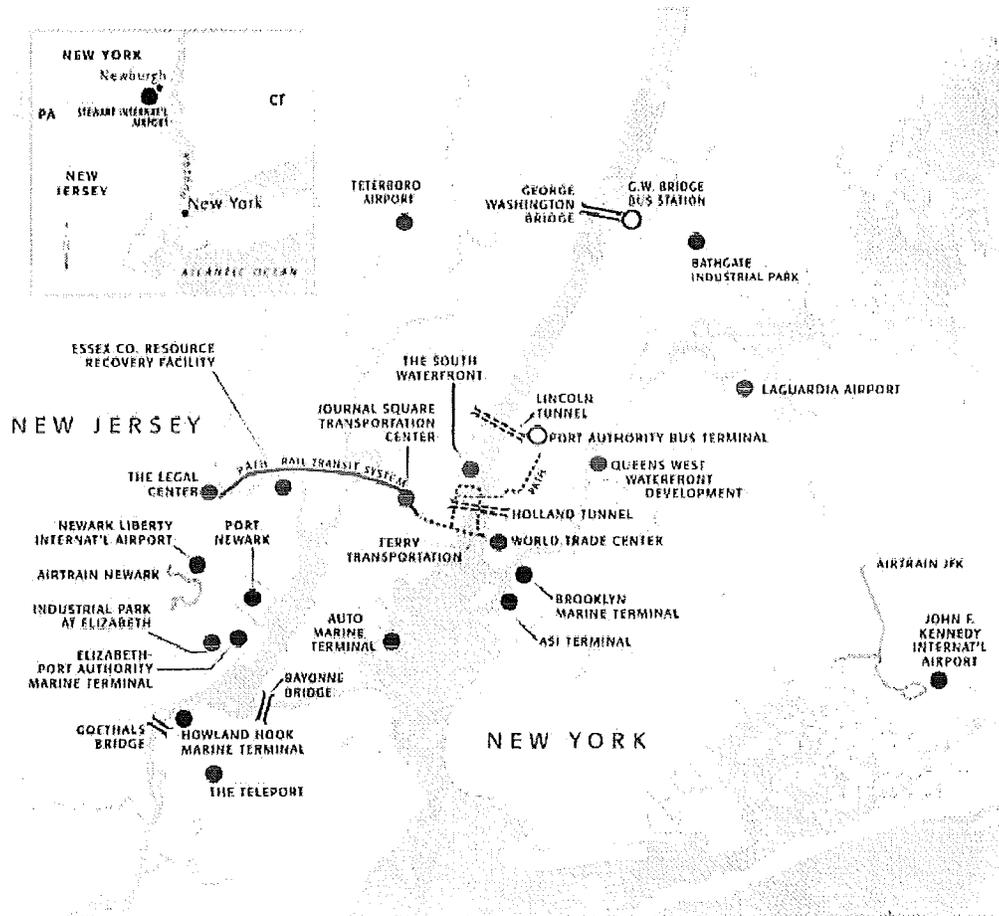
CHAS T. GWYNNE

PORT AUTHORITY OF NEW YORK & NEW JERSEY PORT DISTRICT MAP



The Port Authority was established by the Compact of April 30, 1921, between the states of New York and New Jersey as one of the first interstate agencies created under a clause of the United States Constitution permitting compacts between states with the consent of Congress. The Compact also created the Port District, which comprises an area of about 1,500 square miles in both states, centering around New York Harbor. The Port District includes the cities of New York and Yonkers in New York State, and the cities of Newark, Jersey City, Bayonne, Hoboken, and Elizabeth in the State of New Jersey, and more than 200 other municipalities, including all or part of 17 counties, in the two states. This Port Compact established a bi-state authority to provide transportation, terminal, and other facilities of commerce within the Port District. For such purposes, the states have from time to time authorized specific transportation and terminal facilities, and facilities of commerce and economic development. Stewart International Airport is located in Orange County, N.Y., and is operated by the Port Authority under a long-term lease.

PORT AUTHORITY OF NEW YORK & NEW JERSEY FACILITIES MAP



<p><u>Aviation</u></p> <ul style="list-style-type: none"> John F. Kennedy International Airport LaGuardia Airport Newark Liberty International Airport Stewart International Airport Teterboro Airport <p><u>Tunnels & Bridges</u></p> <ul style="list-style-type: none"> Bayonne Bridge Goethals Bridge George Washington Bridge Holland Tunnel Lincoln Tunnel Outerbridge Crossing <p><u>Bus Terminals</u></p> <ul style="list-style-type: none"> Port Authority Bus Terminal George Washington Bridge Bus Station Journal Square Transportation Center [operated by PATH] 	<p><u>Port Commerce</u></p> <ul style="list-style-type: none"> Port Jersey-Port Authority Marine Terminal Brooklyn-Port Authority Marine Terminal Elizabeth-Port Authority Marine Terminal Howland Hook Marine Terminal Port Newark <p><u>Port Authority Trans-Hudson (PATH)</u></p> <ul style="list-style-type: none"> Journal Square Transportation Center PATH Rail Transit System <p><u>Real Estate & Development</u></p> <ul style="list-style-type: none"> Bathgate Industrial Park Essex County Resource Recovery Facility Ferry Transportation Industrial Park at Elizabeth The Legal Center The Teleport Waterfront Development Queens West Waterfront Development The South Waterfront at Hoboken The World Trade Center
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PORT AUTHORITY POLICE/PUBLIC SAFETY DEPARTMENT

MISSION STATEMENT

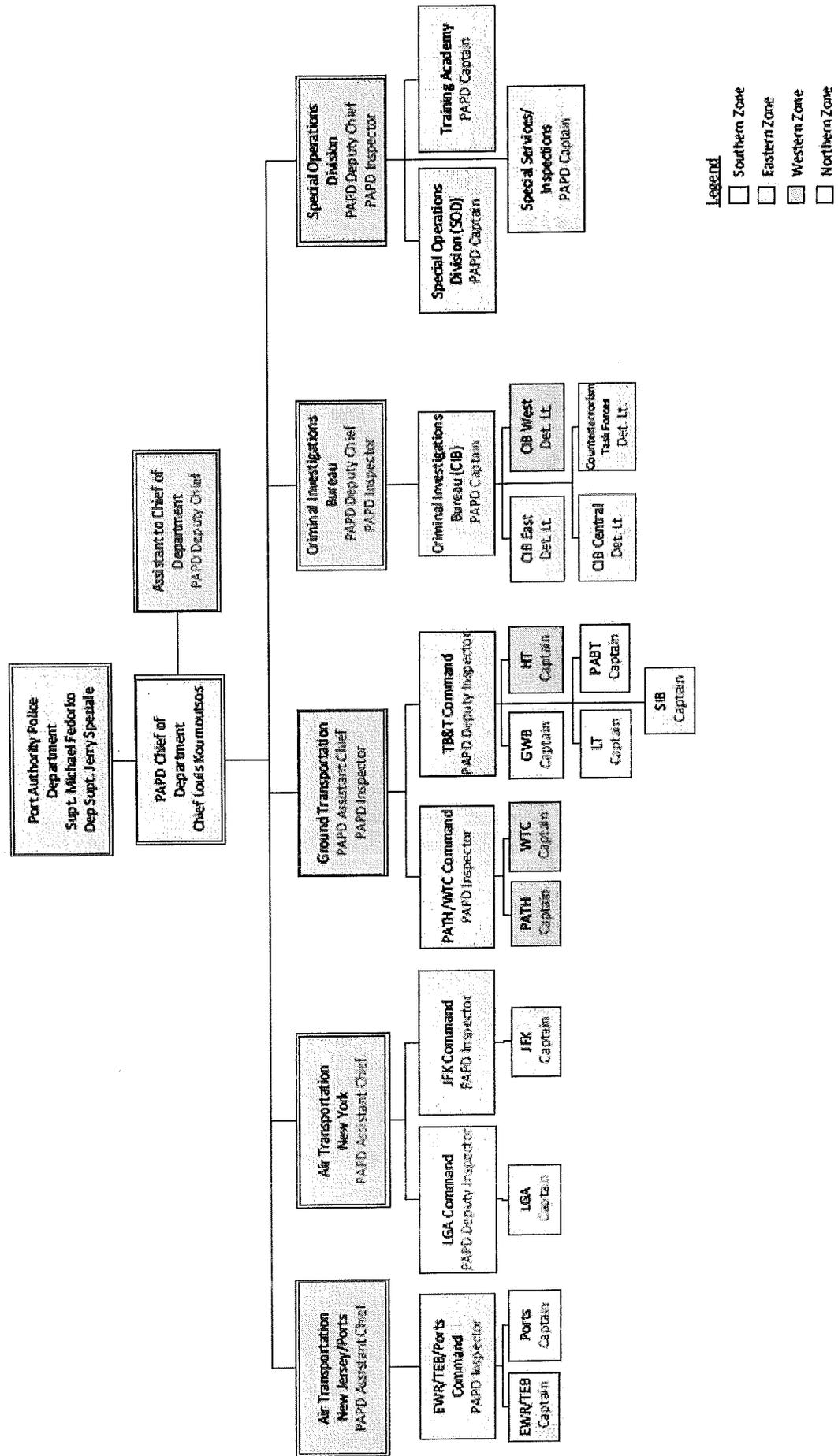
The overall mission of the Port Authority Public Safety Department is to plan, develop, implement and administer policies and programs, which provide for an effective police force and result in the suppression of crime, the preservation of law and order and the protection of life and property.

This mission recognizes the need for a consistent and comprehensive dialogue with all Port Authority departments in order to develop and deliver services in a cost-effective manner that is compatible with overall Port Authority business objectives, as well as, the need to provide a safe and secure environment for patrons, tenants and employees at all Port Authority facilities.

The Public Safety Department's strategic objectives are to:

- ❑ Improve the productivity of police resources through the use of proven technology.
- ❑ Enhance the flexibility of police leadership to deploy police resources in the most effective and efficient manner possible.
- ❑ Improve the training curriculum for all ranks to achieve an understanding of the relationship between the Port Authority mission and the Public Safety mission.
- ❑ Maintain consistent and meaningful communications with line department management in order to meet overall business objectives and customer service levels.
- ❑ Provide all departments with a satisfactory level of investigatory, consulting and reporting services to assist them in strengthening crime prevention programs and maintaining a satisfactory level of integrity in conducting Port Authority business.
- ❑ Improve the coordination and direction of the Public Safety mobilization response to emergencies or other unusual occurrences at Port Authority facilities.
- ❑ Maintain a professional working relationship with domestic and international law enforcement agencies for meeting Public Safety Department goals.
- ❑ Establish an effective managerial support system to improve the efficiency with which police services are delivered.

POLICE/PUBLIC SAFETY DEPARTMENT ORGANIZATION CHART



Legend:
 □ Southern Zone
 □ Eastern Zone
 □ Western Zone
 □ Northern Zone

PORT AUTHORITY POLICE/PUBLIC SAFETY DEPARTMENT

COMMAND STAFF

Chief Security Officer

Joseph P. Dunne

First Deputy Chief Security Officer

Thomas Belfiore

Superintendent of Police/Director of Public Safety Department

Michael A. Fedorko

Deputy Superintendent of Police/Deputy Director of Public Safety Department

Jerry Speziale

Assistant Director, Administration and Finance

Claudia Dickey

Chief of Department

Chief Louie Koumoutsos

Commanding Officers

Inspector Gloria Frank	World Trade Center
Inspector Michael Guarnieri	John F. Kennedy International Airport
Inspector Norma Hardy	NJ Marine Terminals/Staten Island Bridges
Inspector Ramon Martinez	Newark Liberty International Airport
Inspector Steven Rotolo	PATH
Captain Michael Brown	Police Academy/Instructional Services
Captain Raymond Bryan	PA Bus Terminal/Criminal Investigation Bureau
Captain Lisha Harper	LaGuardia Airport
Captain Darcy Licorish	George Washington Bridge
Captain James McSorley	Lincoln Tunnel
Captain Geraldo Silva	Holland Tunnel/Special Operations Division

PORT AUTHORITY POLICE ACADEMY

TRAINING STAFF

Captain Michael Brown, Commanding Officer

Lieutenant John Adorno, Executive Officer

Sergeant Frank D'Alessandro
Sergeant Matthew Coyne
Sergeant Christopher Elliott
Sergeant Eugene Fasano
Sergeant Lance Harrison
Sergeant David Howard

Sergeant Peter Johnson
Sergeant Victoria Lubeck
Sergeant Kenyetta Pichardo
Sergeant Lauren Previte
Sergeant Erick Torres
Sergeant Aaron Woody

Police Officer Scott Benoit
Police Officer Suzanne Diaz
Police Officer Anthony Heinlein
Police Officer Sylvia Itzhaki
Police Officer Steven Krapf
Police Officer Triantafillos Lekkas
Police Officer Lewis Maira
Police Officer Luis Martinez

Police Officer Melissa McNair
Police Officer Robert Mitarotonda
Police Officer Luis Morales
Police Officer Milka Morin
Police Officer Thomas Pepe
Police Officer Wilfred Quashie
Police Officer Frederica Tokponwey
Police Officer Dennis Warnick

Police Officer Leonard Averhoff
Police Officer Albert Berkel
Police Officer Rosa Clyburn
Police Officer Anthony Cutrone
Police Officer Lawanda Irving

Police Officer Joseph Malone
Police Officer Matthew Newkirk
Police Officer John Orlando
Police Officer Lisa Orlando
Police Officer Rosa Rizzo

Police Officer Richard Becker
Police Officer Luis Calderon
Police Officer Javier Cerna
Police Officer Jaime Davidson
Police Officer John Giordano
Police Officer Elliot Klinbovsky
Police Officer William Kruesi
Police Officer Joshua Maarleveld

Police Officer Terrance McKee
Police Officer Alex Miller-Rodriguez
Police Officer Joshua Oliveri
Police Officer Stan O'Neil, Jr.
Police Officer Paul Pogozeleski
Police Officer Thomas Rojecki
Police Officer Michael Tanis
Police Officer Robbie Vaughn

PORT AUTHORITY POLICE ACADEMY

MISSION STATEMENT

The mission of the Port Authority Police Academy is to continuously enhance the skills, training and preparation of the Port Authority Police for the purpose of increasing the effectiveness, quality and scope of the law enforcement and protection services the police provide to the Port Authority, its facilities, their patrons, and to the communities and citizens of the bi-state metropolitan region.

The Police Academy fulfills this mission by providing a professional training environment that is committed to educating our Police Officers in the most current, up-to-date policies, procedures, laws, and protocols.

GUIDING PRINCIPLES

Supporting the Police Academy's mission is a foundation of five guiding principles that shape the core of our programs and services. These principles are to:

- Instill in the officers of the Port Authority Police a positive mental attitude, a strong sense of ethical conduct, a devotion to public service, and a survival state of mind and body;
- Develop and implement innovative training methods, in particular those aimed at promoting mastery on the part of the Port Authority Police;
- Always give priority to the education and safety of the officers we train, never allow political considerations or personal desires to compromise an abiding respect for and adherence to our principles, integrity or the rule of law – remembering always that our actions will determine the welfare of the region's citizens, our graduates and the future of the law enforcement profession;
- Support the efforts of the Port Authority Police to ensure that it is a broad representative of the citizenry of the region and that it is a beacon of opportunity for all;
- Train Police Officers in anti-terrorism awareness to enable them to anticipate, identify, deter, and mitigate terroristic acts.

PORT AUTHORITY POLICE ACADEMY

STRATEGIC GOALS

While the mission and the guiding principles of the Port Authority Police Academy are enduring, we continuously reassess and refine our strategic goals to better equip our Police Officers for the needs of an uncertain environment. The Police Academy strives to broaden our officers' perspectives and deepen their insights and understanding of the complex and ever-changing environment in which the Port Authority operates on a day-to-day basis.

As currently constituted, our major strategic goals include:

- Basic Training: to ensure that all men and women wearing the badge of the Port Authority Police are well trained and drilled in the fundamentals of police work;
- In-Service Training: to provide our officers with continuous training to enable them to enhance and reinforce their skills through the use of the most modern and creative training methods;
- Specialized Details: to provide all members of specialized units continuous training and education in their particular area of expertise to ensure readiness and proper compliance with institutional, federal and state guidelines;
- Supervisory Training: to ensure that all supervisory staff of the Port Authority Police Department have the opportunity to develop leadership skills and are prepared to meet the emerging and future needs of the force;
- Executive Development: to continuously enhance the managerial effectiveness of the Port Authority leadership in order to strengthen the entire organization;
- Training Services to the Region's Law Enforcement Organizations: to provide our neighboring police departments with similar opportunities to improve their skills and effectiveness, and to strengthen the bonds of cooperation within the region's law enforcement community;
- Training Services: for Port Authority civilian staff in order to raise their awareness of criminal and/or terrorist activity and defining their role in maintaining the safety and security of our facilities.

PORT AUTHORITY POLICE POWERS

POLICE POWERS IN NEW YORK

Members of the Port Authority Police are designated Police Officers by Section 1.20, Subsection 34K, Criminal Procedure Law of New York which states:

“34. ‘Police Officers.’ The following persons are Police Officers: ...

(K) A sworn officer of a police force of a public authority created by an interstate compact.”

POLICE POWERS IN NEW JERSEY

The authority of the Port Authority Police force is set forth in N.J.S.A. 32:2-25. (Source: Laws of New Jersey, 1932, Chapter 113)

“...Members of such police force shall have all powers conferred by law on police officers or constables in the enforcement of laws of the state and apprehension of violators thereof.”



PORT AUTHORITY POLICE DEPARTMENT

OATH OF OFFICE

State of New Jersey

County of Hudson

"I, _____, do solemnly swear that I will support the Constitution of the United States and the Constitutions of the States of New York and New Jersey, and that I will faithfully discharge the duties of Police Officer in and for The Port Authority of New York and New Jersey, according to the best of my ability."

Signature

Subscribed and sworn before me this _____ day of _____, _____.
Day Month Year

Notary Public

ACADEMIC AND PERFORMANCE REQUIREMENTS

The Port Authority Police Academy's Basic Course for Police Officers is designed to meet the agency's goals of producing highly disciplined, motivated, competent, and service-oriented law enforcement professionals. To effectively serve as a Port Authority Police Officer, each Recruit's knowledge and skills, both intellectually and physically, will be tested to establish that they have met the standards determined by the Police Academy. The testing process is an integral, criterion-based tool used to evaluate performance and to determine a Recruit's ability to meet the Agency's standards.

As a Port Authority Police Officer, individuals will encounter various situations that challenge their intellectual and physical fortitudes. This is especially true during training at the Police Academy, where performance will be evaluated in four (4) categories. Successful completion of the Police Academy Basic Course for Police Officers requires each Recruit to achieve a score of 70% in each of the following categories:

- I. Academics (50%)
- II. Performance Skills (40%)
- III. Supervisory Evaluations (10%)
- IV. Discipline and Attitude (See Rules & Regulations)

The Police Academy Curriculum, "Basic Course for Police Officer training," is a Condition of Employment. Recruits are required to achieve and maintain a standard level of proficiency in all of the above major categories. If at any time during the Basic Course for Police Officer Training, a Recruit fails to achieve and maintain the required level of proficiency in the above stated categories, the Recruit Evaluation Board will submit a recommendation to the Superintendent of Police/Director of Public Safety for termination from the program.

ACADEMIC STANDARDS

1. **Notebooks** - Each Recruit must maintain a class notebook of all instruction given during the entire training program. The notebook should contain **complete and accurate** notes. Notebooks will be reviewed and graded.
2. **Quizzes** - Quizzes will be given on a regular basis during the training program and will cover a block of instruction just completed and/or any lesson, lecture or block of instruction previously completed. Quizzes constitute a percentage of your overall grade point average (GPA). A minimum passing score of 70 must be achieved on all quizzes. Failure of one (1) quiz will result in the issuance of a negative Student Training Activity Report (STAR) card. Failure of two (2) or more quizzes will result in the Recruit appearing before the Recruit Evaluation Board, who will determine what actions shall be taken.
3. **Written Tests** - Academic performance of each Recruit will also be measured by a series of written tests that are more comprehensive in nature than quizzes. Written tests also constitute a percentage of your overall GPA. A minimum passing score of **70** must be achieved on all written tests, with the following exceptions: Emergency Medical Responder, a minimum passing score of **80** must be achieved; AHA CPR, a minimum passing score of **84** must be achieved; and Use of Force, a perfect score of **100** must be achieved.
4. **Written Comprehensive Examinations** - A midterm and final examination will be administered during the training program. These written comprehensive exams also constitute a percentage of your overall GPA. These exams are the most comprehensive in nature and will contain questions addressing all disciplines. A minimum passing score of **70** must be achieved on each examination.

A Recruit who is not present for any written exam due to an authorized excusal shall be permitted to take a make up exam similar to, but not identical to, the original exam. An authorized excusal is an absence for a legitimate reason that was approved by the Commanding Officer of the Police Academy.

5. **Failure of Tests** - If a Recruit fails a written test or is unable to achieve an acceptable level of proficiency on a performance test, the Commanding Officer of the Police Academy or his/her designee will:
 - Meet with the Recruit and inform the Recruit of the failure;
 - Review the test results with the Recruit and identify the cause(s) for the failure;
 - Recommend ways to correct the performance and schedule a re-test with at least one full day for further study permitted;

- Prepare a written report summarizing the meeting, including his/her signature, the date, time, and location. The Recruit must also sign this report. If a designee meets with a Recruit, all written records will be forwarded to the Commanding Officer of the Police Academy.

A Recruit who fails one initial written test will be brought before the Recruit Evaluation Board.

A Recruit who fails two initial written tests will be placed on academic probation for a specified period of time, determined by the Recruit Evaluation Board.

A recruit who fails four initial written tests (excluding the Midterm and Final Exam) will be brought before the Recruit Evaluation Board who may recommend termination from the program.

6. **Re-test** - Recruits who fail any test will be given **ONE** additional opportunity to take a re-test. The re-test will be similar, but not identical, to the original test. A minimum passing score of **70** must be achieved on the re-test, with the following exceptions: Emergency Medical Responder, a minimum passing score of **80** must be achieved; AHA CPR, a minimum passing score of **84** must be achieved; and Use of Force, a perfect score of **100** must be achieved. If a Recruit successfully passes a re-test, he/she will still retain his/her initial test score, regardless of the higher score that may be obtained on the re-test. The final grade point average for each Recruit is based on their initial test scores.
7. **Failure of a Re-test** - If a Recruit fails to achieve a passing score on a re-test, he/she will appear before the Recruit Evaluation Board which may submit a recommendation to the Superintendent of Police/Director of Public Safety for termination from the program.
8. **Failure of a Written Comprehensive Examination** - Failure of either the Midterm or Final Examination will result in the immediate recommendation to the Superintendent of Police/Director of Public Safety for termination from the program.
9. **Test and Examination Appeal Process** - The following procedure must be followed if a Recruit wishes to appeal an examination question:

The examination appeal must be addressed to the Commanding Officer of the Police Academy and submitted on Handwritten (PA Form 2265). This report will be dated and submitted within 48 hours, or within two business days, after the examination review has been held. The content of the examination appeal will be as follows:

- The examination question in its entirety
- The choices offered as possible answers
- The correct answer as offered by the Academy staff

The Recruit's answer and rationale for choosing his/her answer. Recruit explanations should focus on, but not be limited to, the following:

- Handouts
- Specific sections of law
- POI or PDI Manuals
- Classroom instructions, including any written study materials or aids provided by the Academy, or one of its Instructors

The petitioning Recruit will be notified through the chain of command when a determination has been reached regarding a particular examination appeal.

- 10. Request for Remediation** - Should a Recruit request remediation in any subject or skills area, he/she shall submit a Handwritten request (PA Form 2265) to the Commanding Officer of the Police Academy. The Recruit shall state the specific area and subject content where remediation is needed. All remediation will be provided on a voluntary basis, no overtime pay will be earned.

NOTE: The Academic portion of the Recruit Program represents **50%** of the overall grade point average. The written portion of the performance skills testing will be included in the performance skills area, which represents **40%** of the overall GPA. The remaining **10%** of the GPA is based on Supervisory Evaluation(s).

RECRUIT EVALUATION BOARD

1. The Recruit Evaluation Board will consist of the Commanding Officer of the Police Academy, Lieutenant of the Police Academy and the Recruit Coordinator. If one of the above individuals is unavailable, a Police Academy Sergeant will serve as an alternate on this Board.
2. A Recruit will be required to appear before the Recruit Evaluation Board for any of the following reasons:
 - Failure of two (2) or more quizzes
 - Failure of a test
 - Failure of a re-test
 - Violations of Police Academy Rules and Regulations
 - Sub-standard performance in any area of a Recruit's skills training
3. Based on the evaluation of a Recruit's performance, the Recruit Evaluation Board will make specific oral and written recommendations to the Recruit. These recommendations are designed to assist the Recruit in his/her efforts to improve his/her performance and may include a prescribed course of remediation. The Board may also place the Recruit on academic probation for a period of time during which his/her performance will be closely monitored for improvement.
4. If a Recruit on probation fails to show signs of improvement in the areas defined under the Police Academy Training Standards or those set by the Board, the Recruit Evaluation Board will submit to the Superintendent of Police/Director of Public Safety a recommendation for termination from the program.
5. On the recommendation of either the Commanding Officer of the Police Academy or the Recruit Evaluation Board, with the concurrence of the Superintendent of Police/Director of Public Safety, the Police Academy may terminate a Recruit's employment for failure to meet any Training Standards or for violating the Rules and Regulations. If termination is the recommendation of the Recruit Evaluation Board, the board will submit to the Superintendent of Police/Director of Public Safety a comprehensive written report of its findings and include therein a description of the efforts undertaken by the Police Academy to improve performance through remediation and counseling.

**PORT AUTHORITY POLICE ACADEMY
112th CLASS
RECRUIT CURRICULUM**

<u>FUNCTIONAL AREA:</u>	<u>HOURS:</u>
I. ADMINISTRATION PROCEDURES	148
II. ADMINISTRATION OF CRIMINAL JUSTICE.....	4
III. BASIC LAW	64
IV. BASIC LAW - NEW YORK	37
V. BASIC LAW - NEW JERSEY	40
VI. ANTI-TERRORISM TRAINING	33
VII. PATROL OPERATIONS:	
A. PATROL FUNCTIONS.....	95
B. TRAFFIC SCIENCE	50
C. BASIC INVESTIGATIVE RESPONSE	17.5
VIII. PROFICIENCY AREAS/PERFORMANCE SKILLS	221
IX. BEHAVIORAL SCIENCE.....	35.5
X. POLICE AND THE COMMUNITY	7
XI. PHYSICAL FITNESS & WELLNESS.....	78
XII. ADDITIONAL INSTRUCTION	27.5
TOTAL HOURS	857.5

BASIC COURSE FOR POLICE OFFICERS

PROGRAM CONTENT AND HOURS

Part I. Administration Procedures

A. Human Resources Day	8 Hours
B. Welcome by Director of Public Safety and PA Commanding Officer	3 Hours
C. Policy Structure	
1. Policy and Procedures	10 Hours
○ Police Operating Instructions (POI)	
○ Police Division Instructions (PDI)	
○ General Orders	
○ Interim Orders	
○ Written Directive System	
2. Rules and Regulations	4.5 Hours
D. Professional Standards (CCIU, IAB, Absence Control, Off-Duty Conduct)	2 Hours
1. Uniforms, Equipment Issuance, Memo Books	7.25 Hours
2. Note Taking and Study Habits	1 Hour
E. Academic Standards – All Tests and Evaluations	57 Hours
F. Culmination Ceremonies	15.25 Hours
G. Drills and Ceremonies	16.5 Hours
H. Roll Call/Inspections	21.5 Hours
I. History and Mission of the Port Authority	1 Hour
J. Port Authority Structure	1 Hour

TOTAL	148 Hours
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Part II. Administration of Criminal Justice

1. Moot Court – Practical	4 Hours
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TOTAL	4 Hours
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Part III. Basic Law

1. Introduction to Law	3 Hours
2. The US Constitution and Bill of Rights	2 Hours
3. The Criminal Justice System	3 Hours
4. The Court System/Standards of Proof	2 Hours
5. Laws of Arrest	2 Hours
6. Levels of Intrusion	3 Hours
7. Street Encounters - Stop/Question/Frisk	5 Hours
8. Probable Cause	4 Hours
9. Search and Seizure	9 Hours
10. Interrogation and Confessions	3 Hours
11. Eyewitness Identification	3 Hours
12. Evidence	2 Hours
13. Civil Liability	2 Hours
14. Use of Force	10.75 Hours
15. Domestic Violence	6 Hours
16. Introduction to Unconsolidated Laws	1 Hour
17. Law Enforcement Safety Act HR 218	1 Hour
18. Title 18 USCA 926a Transporting a Firearm	1 Hour

TOTAL

62.75 Hours

Part IV. Basic Law - New York

1. Introduction to Penal Law	3 Hours
2. Disorderly Conduct & Hazing	1 Hour
3. Harassment, Aggravated Harassment, Reckless Endangerment Stalking, Menacing	3 Hours
4. Assault	2 Hours
5. Homicide	2 Hours
6. Sex Offenses	2 Hours
7. Larceny, Robbery, Criminal Possession of Stolen Property, Fraud, Theft of Services	5 Hours
8. Trespass and Burglary	3 Hours
9. Criminal Mischief and Arson	2 Hours
10. Bribery	1 Hour
11. Weapons	2 Hours
12. Drugs and Marijuana	3 Hours
13. Kidnapping, Unlawful Imprisonment, Custodial Interference	1 Hour
14. Endangering – Juvenile Crimes	1 Hour
15. Loitering and Prostitution	1 Hour
16. Riot, Unlawful Assembly	1 Hour
17. Quality of Life Offenses	1 Hour
18. Criminal Impersonation, Obstructing Governmental Administration Escape, Resisting	2 Hours
19. Terrorism	1 Hour

TOTAL	37 HOURS
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Part V. Basic Law - New Jersey

1. Introduction to New Jersey Code of Criminal Justice	3 Hours
2. Inchoate Crimes	2 Hours
3. Criminal Homicide	2 Hours
4. Assault and Assault Related Offenses	3 Hours
5. Kidnapping and Related Offenses	2 Hours
6. Sexual Offenses	2 Hours
7. Arson and Property Destruction	2 Hours
8. Burglary and Other Intrusion	2 Hours
9. Robbery and Carjacking	2 Hours
10. Theft Offenses	4 Hours
11. Forgery and Fraudulent Practices	1 Hour
12. Offenses Against the Family, Children, and Incompetents	1 Hour
13. Bribery and Corrupt Influence	1 Hour
14. Perjury and Other Falsification in Official Manners	1 Hour
15. Obstructing Governmental Operations and Escape	1 Hour
16. Misconduct or Abuse in Office	1 Hour
17. Riot, Disorderly Conduct, and Related Offenses	1 Hour
18. Public Indecency Offenses	1 Hour
19. Firearms, Other Dangerous Weapons, and Instruments	2 Hours
20. Bias Crimes	1 Hour
21. New Jersey Juvenile Law	2 Hours
22. Drug Offenses	2 Hours
23. Terrorism	1 Hour

TOTAL	40 Hours
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TOTAL LAW INSTRUCTION	141 Hours
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Part VI. Anti-Terrorism Training

- | | |
|------------------------------------------------------------------------------------------------------------|----------|
| 1. Screening of Passengers through Observational Techniques (SPOT) | 4 Hours |
| 2. Incident Response to Terrorist Bombings/Preventative Response to Suicide Bombing Incidents (IRTB/PRSBI) | 8 Hours |
| ○ Interdiction | |
| ○ Prevention | |
| ○ Mitigation | |
| 3. Law Enforcement Protective Measures/
Law Enforcement Response Actions (LEPM-LERA) | 13 Hours |
| ○ Chemical | |
| ○ Biological | |
| ○ Radiological | |
| ○ Nuclear | |
| ○ Explosives | |
| 4. Police Response to Active Shooter (History) | 8 Hours |

TOTAL

33 Hours

Part VII. Patrol Operations

A. Patrol Functions

1. Patrol Methods and Techniques	5 Hours
○ Bike Patrol (1)	
○ Foot Patrol (1)	
○ Patrol Car Operator (1)	
○ Plain Clothes (1)	
○ Train Patrol (1)	
2. Communication Systems (Police Radio)	2 Hours
○ Explain CAD Function	
3. Note Taking, Forms and Reports	26.5 Hours
4. Cell Block Detention and Suicide Awareness	4 Hours
5. Missing Persons	1.5 Hours
6. Proper Handling and Safeguarding of Prisoners	1 Hour
7. Basic Fingerprinting/Live Scan	3 Hours
8. Basic Controlled Dangerous Substance (CDS) Identification	2 Hours
9. Arrest Processing (6 Hours for NY/6 Hours for NJ)	12 Hours
10. Racial Profiling (Video)	4 Hours
11. Arrest Scenarios	13 Hours
12. Spanish for Law Enforcement	12 Hours
13. Gang Awareness	4 Hours
14. Fraudulent Documents	2 Hours
15. Fraudulent Documents (Motor Vehicle)	2 Hours
16. NYC C-Summons	1 Hour

TOTAL	95 Hours
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B. Traffic Science

1. Directing Traffic	4 Hours
○ Classroom (1)	
○ Traffic Field Scenarios (3)	
2. Traffic Enforcement & the Police Image	1 Hour
3. Driving While Intoxicated	2 Hours
4. NJ Vehicle and Traffic Laws	5 Hours
○ Title 39 (3)	
○ 39:4-50 (2)	
5. NY Vehicle and Traffic Laws	4.5 Hours
○ VTL (3)	
○ VTL 1192 (1.5)	
6. Summonses	5.5 Hours
○ Introduction to Summonses/McKinney's Law (1)	
○ NJ Summons (1.5)	
○ NY Universal Traffic Ticket (1)	
○ NY Parking Violations Bureau (1)	
○ PAPD TLC Complaint (1)	
7. Protecting and Managing Accident Scenes/MVA Reports	2 Hours
8. Mobile Data Terminals (MDT)	12 Hours
9. Patrol Vehicle Operations and Maintenance (1)	3 Hours
○ Pursuit Driving and Policies (2)	
10. Motor Vehicle Stops (Classroom)	6 Hours
11. Work Zone Safety Awareness	2 Hours
12. Port Authority Police Specialized Units	3 Hours
○ Emergency Services Unit (1)	
○ Commercial Vehicle Inspection (Truck Checks) (1)	
○ K-9 (1)	

TOTAL	50 Hours
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C. Basic Investigative Response

- | | |
|-------------------------------------------------------------|-----------|
| 1. Crime Scene Responsibilities | 1 Hour |
| 2. Interview/Note Taking (Suspects, Witnesses, and Victims) | 1 Hour |
| 3. Preservation/Safeguarding of Evidence | 1 Hour |
| 4. Evidence Identification | 1 Hour |
| 5. Vouchering/Inventories | 3 Hours |
| ○ Marking and Packing | } (2) |
| ○ Personal Property | |
| ○ Found Property | |
| ○ Motor Vehicle Impounds (1) | |
| 6. Injury and Death Cases | 1 Hour |
| 7. National Transportation Safety Board (NTSB) | 2 Hours |
| 8. Autopsy/Morgue | 6.5 Hours |
| 9. Hostage Awareness | 1 Hour |

TOTAL

17.5 Hours

Part VIII. Proficiency Areas/Performance Skills

1. Firearms Training	39 Hours
2. Range Tactics	8 Hours*
3. Basic Tactics	26 Hours
○ Concealed Carry/Plain Clothes	
○ Firearms Familiarization	
○ Active Shooter (Practical)	
○ Officer Survival	
4. Emergency Vehicle Operations Course (EVOG)	19.5 Hours
5. Tactical Vehicle Stops	13 Hours
6. Introduction to Defensive Tactics	26 Hours
○ Fundamentals of Defensive Tactics (6.5)	
○ Handcuffing/Take Downs/Escort Holds (6.5)	
○ Boxing/Defense Against Chokes/Ground Escapes/Weapons Retention (6.5)	
○ Defensive Tactics Written and Practical Test (6.5)	
7. Oleoresin Capsicum (OC) Spray	6.5 Hours
8. Expandable Baton	6.5 Hours
9. Emergency Medical Responder Training	32.5 Hours
○ CPR with Defibrillator	
10. Incident Command System (ICS)	13 Hours
○ Evacuations	
11. Fire Fighting Procedures	19.5 Hours
○ Vehicular	
○ Structural	
12. Confined Space Awareness/Hazmat	6.5 Hours
13. Civil Disturbances	6.5 Hours
○ Crowd Control	
14. Basic Water Safety	6.5 Hours

TOTAL	221 Hours
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****NOT INCLUDED IN TOTAL HOURS***

Part IX. Behavioral Science

1. Understanding Human Behavior	1 Hour
2. Perceptions and Attitudes	1 Hour
3. Socialization	1 Hour
4. Awareness of Emotional Reactions	1 Hour
5. Verbal and Non-Verbal Communication	1 Hour
6. Mandated Reporter/Child Abuse	1.5 Hours
7. Victimology	1 Hour
8. Special Needs Groups	8 Hours
o Autism (2)	
o Mental Illness (1)	
o Americans with Disabilities Act (ADA) (1)	
o Homeless (1)	
o Substance Abuse (1.5)	
o Alzheimer's Safe Return/Elderly (1.5)	
9. Stress Management	5 Hours
o Alcoholism	
o Controlled Dangerous Substances (CDS)	
o Suicide Awareness	
10. Police Suicide Awareness	2 Hours
11. Employee Assistance	1 Hour
12. Cultural Diversity	8 Hours
13. Role Playing (Non-Criminal Situations)	4 Hours

TOTAL	35.5 Hours
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Part X. Police and the Community

- | | |
|----------------------------------------|---------|
| 1. Orientation to Community Policing | 2 Hours |
| 2. Conflict Resolution/Problem Solving | 3 Hours |
| 3. Ethical Issues | 2 Hours |

TOTAL	7 Hours
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Part XI. Physical Fitness and Wellness

- | | |
|-----------------------------|----------|
| 1. Fitness and Wellness | 76 Hours |
| 2. Personal Fitness Program | 1 Hour |
| 3. Diet and Nutrition | 1 Hour |

TOTAL	78 Hours
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Part XII. Additional Instruction

- | | |
|------------------------------------------------|-----------|
| 1. Police Benevolent Association (PBA) | 2 Hours |
| 2. Deferred Compensation | 2 Hours |
| 3. Office of Emergency Management | 1 Hour |
| 4. Inspector General's Office | 1 Hour |
| 5. Blood Borne Pathogens | 2 Hours |
| 6. XCEL Federal Credit Union | 2 Hours |
| 7. Alcohol, Tobacco and Firearms | 2 Hours |
| 8. Command Address | 1 Hour |
| 9. Introduction to Emergency Medical Responder | 8 Hours |
| 10. Personal Radiation Detector | 6.5 Hours |

TOTAL	27.5 Hours
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GRAND TOTAL	856.25 Hours
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I. ACADEMIC TRAINING

Administration Procedures

Recruits will be instructed in the following Administration Procedures topics:

Human Resources Day	Culmination Ceremonies
Professional Standards	Drills and Ceremonies
Roll Call/Inspections	Policy Structure
Academic Standards (Tests/Evaluations)	History & Mission of Port Authority
Welcome by the Director of Public Safety and Police Academy Commanding Officer	Port Authority Structure

Administration of Criminal Justice

Recruits will be instructed in the following Administration of Criminal Justice topic:

Moot Court

Law

Recruits will be instructed in the following areas of the Law:

Introduction of Law	Eyewitness Identification
The U.S. Constitution and Bill of Rights	Evidence
The Criminal Justice System	Civil Liability
The Court System/Standards of Proof	Use of Force
Laws of Arrest	Domestic Violence
Levels of Intrusion	Introduction of Unconsolidated Laws
Street Encounters (Stop, Question, Frisk)	Law Enforcement Safety Act HR 218
Probable Cause	New York State Penal Law
Search and Seizure	New Jersey Code of Criminal Justice
Interrogation and Confessions	
Title 18 USCA 926a Transporting a Firearm	

Anti - Terrorism Training

Recruits will be instructed in the following areas of Anti-Terrorism Training:

- Screening of Passengers through Observational Techniques (SPOT)
- Incident Response to Terrorist Bombings (IRTB)
- Preventative Response to Suicide Bombing Incidents (PRSBI)
- Law Enforcement Protective Measures (LEPM)
- Law Enforcement Response Actions (LERA)
- Police Response to Active Shooter (History)

Patrol Operations

Recruits will be instructed in the following Patrol Operations topics:

Patrol Methods & Techniques	Arrest Processing (NY & NJ)
Communication Systems (Police Radio)	Racial Profiling
Note Taking, Forms & Reports	Arrest Scenarios
Cell Block Detention & Suicide Awareness	Spanish for Law Enforcement
Missing Persons	Gang Awareness
Proper Handling & Safeguarding of Prisoners	Fraudulent Documents
Basic Fingerprinting/Live Scan	Fraudulent Documents (MV)
NYC C-Summons	Basic Controlled Dangerous Substances (CDS) Identification

Traffic Science

Recruits will be instructed in the following Traffic Science topics:

Mobile Data Terminals (MDT)	PA Police Specialized Units
Traffic Enforcement & Police Image	Summonses
NJ Vehicle & Traffic Laws	Motor Vehicle Stops
NY Vehicle & Traffic Laws	Work Zone Safety Awareness
Patrol Vehicle Operations & Maintenance	Driving While Intoxicated
Protecting & Managing Accident Scenes/ MVA Reports	Directing Traffic

Basic Investigative Response

Recruits will be instructed in the following Basic Investigative Response topics:

Crime Scene Responsibilities	Injury & Death Cases
Preservation/Safeguarding of Evidence	Vouchering/Inventories
Evidence Identification	Autopsy/Morgue
National Transportation Safety Board (NTSB)	Hostage Awareness
Interview/Note-taking (Suspects, Witnesses & Victims)	

Behavioral Science

Recruits will be instructed in the following Behavioral Science topics:

Understanding Human Behavior	Special Needs Group
Perceptions & Attitudes	Stress Management
Socialization	Police Suicide Awareness
Awareness of Emotional Reactions	Employee Assistance
Verbal & Nonverbal Communication	Cultural Diversity
Mandated Reporter/Child Abuse	Role Playing
Victimology	

II. PROFICIENCY AREAS/PERFORMANCE SKILLS

A Recruit's proficiency in several job-related skills areas will be evaluated by means of performance tests administered throughout the Police Academy training program. Recruits will be tested and evaluated in the following Performance Skills areas:

Firearms Training	Expandable Baton
Range Tactics	Basic Shotgun
Basic Water Safety	Oleoresin Capsicum (OC) Spray
Basic Tactics	Incident Command System (ICS)
Tactical Vehicle Stops	Firefighting Procedures
Introduction to Defensive Tactics	Confined Space Awareness/HAZMAT
Emergency Medical Responder Training	Civil Disturbances
Emergency Vehicle Operations Course (EVOC)	

Defensive Tactics

To successfully complete the Defensive Tactics Course, each Recruit will have to properly demonstrate an acceptable level of proficiency and performance on the following techniques (as listed on the Defensive Tactics Proficiency Test Check Sheet):

Break Falls Movement Techniques	Ground Self Defense
Personal Weapons	Stances
Pressure Point Distraction Techniques	Redirection of Force
Weapon Retention	Handcuffing
Disarming	Take Downs
Mental and Physical Preparation	Basic Boxing

In addition to the Defensive Tactics performance skills test, each Recruit must achieve a **score of 70%** on the Defensive Tactics written test. Failure to demonstrate an acceptable level of proficiency and performance in the Defensive Tactics Course will result in a recommendation for termination from the program.

Oleoresin Capsicum (OC) Spray

To successfully complete the Oleoresin Capsicum (OC) Spray Course and to become certified to carry the Department's OC Spray on duty, each Recruit will have to properly demonstrate the lawful use of OC Spray. In addition, to learn the effectiveness of OC Spray, each Recruit will be sprayed with OC Spray by Academy staff in a controlled setting.

In addition to the OC Spray practical skills test, each Recruit must achieve a **score of 70%** on the OC Spray written test.

Monadnock Expandable Baton

To successfully complete the Monadnock Expandable Baton Basic Course, each Recruit will have to properly demonstrate an acceptable level of proficiency on the following Monadnock Expandable Baton techniques (as listed on the Monadnock Expandable Baton Basic Course Proficiency Test Check Sheet):

Stance & Patterns of Movement
Baton Methods of Carry
Baton Two Handed Blocks
Baton Retention

Baton Grips
Baton Draws
Baton Counter Strikes

In addition to the Monadnock Expandable Baton performance skills test, each Recruit must achieve a score of 70% on the Monadnock Expandable Baton written test.

Physical Fitness and Wellness

1. Initial Physical Fitness Assessment

During the first week of Academy training, all Recruits will be evaluated in each of the seven specified fitness standard areas to determine the Recruit's current level of fitness.

2. Fitness Standards

Each Recruit is required to participate in at least 70% of the Physical Fitness training component of the Academy's instruction, and must complete each component with reasonable effort and proper technique as taught by Academy staff.

In addition, Recruits are required to **meet and maintain** the minimum Physical Fitness standards listed below:

<u>Exercise:</u>	<u>Duration/Repetitions</u>
1. Cardiovascular Endurance (1.5 mile run)	16 minutes 31 seconds
2. Absolute Strength (Bench Press 1 repetition max)	.66 ratio ***
OR	
Dynamic Strength (Push-up)	20 repetitions
3. Muscular Endurance (Sit-up)	25 sit-ups in one minute
4. 300 Meter Run (328 yards)	80 seconds
5. Vertical Jump	17.0 inches
OR	
Leg Press (1 repetition max)	1.45 ratio ***

*** Exact weight of repetition calculated by multiplying the percentage ratio by individual's body weight.

3. Assessment

There will be a total of four (4) assessments. Each assessment has been given a percentage value (Assessment #1 = 20%; Assessment #2 = 30%; Assessment #3 = 40%; and Assessment #4 = 10%). Failure to meet the minimum Physical Fitness standards in each of the above categories by the third assessment may result in a recommendation for termination from the program.

Basic Water Safety

This area of instruction will provide information and skills to prevent, recognize, and respond to water rescues. To successfully complete the Water Safety skills area, each Recruit will have to demonstrate an acceptable level of proficiency in each of the following areas of instruction:

Rules, responsibilities & practices	Hypothermia
Personal safety hazards	Victim Stabilization
Personal safety practices	Survival Swimming
Emergency Care	
Rescues (Self, Non-Swimming, Swimming Assist, and Ice)	

Emergency Medical Responder (EMR) Course

To successfully complete the Emergency Medical Responder skills area, each Recruit will have to properly demonstrate an acceptable level of proficiency in the following areas of instruction:

- Adult, Child, and Infant CPR, conscious and unconscious airway obstruction and Defibrillation following the American Heart Association Basic Life Support for Healthcare Providers guidelines
- Safe assembly of an oxygen tank with a regulator
- Oxygen administration by means of a bag mask, non re-breather mask and nasal cannula
- Use of suctioning equipment
- Airway management using airway adjuncts
- Bleeding control/shock management
- Managing medical emergencies, emergency childbirth, soft tissue injuries, injury to muscle and bones, poisoning and substance abuse, behavioral emergencies and pediatric emergencies
- Auto Pulse

Recruits will be administered written tests during the EMR course and must achieve a **score of 80%** on all EMR tests. The Practical Skills Evaluation tests must yield a PASS grade on all aspects of skills testing. In addition, the AHA CPR certification requires a **score of 84%** on the written exam and a PASS grade on all skills testing for CPR. Failure to demonstrate an acceptable level of proficiency in EMR will result in a recommendation for termination from the program.

Firearms Training System

Service Pistol Requirement

To successfully complete the Firearms Service Pistol requirement, each Recruit will have to properly demonstrate an acceptable level of proficiency and a working knowledge of the Glock Model 19. Service weapon proficiency will be measured with a written test and a performance test, as required by the New Jersey Division of Criminal Justice Police Training Commission Basic Firearms Course. The Qualification Course will consist of both daylight and diminished light courses. In daylight, the Recruit will achieve an average of no less than 80% of a possible perfect score (100%), after three consecutive firings of the handgun qualification course. Under diminished light conditions, the Recruit will achieve a score of no less than 80% of a possible perfect score (100%), for one firing of the handgun night qualification course.

In addition to the Firearms Service Pistol requirement, each Recruit must achieve a score of 70% on the service pistol written test.

Firearms Requirements

Daylight Course

To achieve a passing score of 80%, the participant, in three (3) consecutive firings of the Handgun Qualification Course must place a minimum of 144 shots within the border of the "Q" target silhouettes. If failure occurs, remediation then takes place. To achieve a passing score of 80% after an initial failure and remediation, the participant, in three (3) additional consecutive firings, must place a minimum of 144 shots within the border of the "Q" Target silhouettes.

A Recruit who fails to achieve an average score of 80% or higher for record, after three consecutive firings of the Handgun Qualification Course, shall receive additional training. This remedial training must be given before the Recruit is again allowed to attempt qualification. The time allocated and the method of remedial instruction shall be determined by the Range Master. The remediation record runs may not be fired on the same day as the initial record runs. The three remediation record runs scores shall be three separate scores with no influence on the initial record run scores.

Remediation Ammunition (Handgun Qualification Course)

- A maximum of 300 additional rounds may be expended
- Of these additional rounds, **180** rounds are reserved for the second attempt at qualification
- The remaining 120 rounds are to be used for Remedial Training Exercises

Diminished Light Course

To achieve a passing score of 80%, the participant, in one (1) firing of the Handgun Diminished Light Qualification Course must place a minimum of 32 shots within the border of the "Q" target silhouette. If a failure occurs, remediation then takes place.

A trainee who fails to achieve a **score of 80%** or higher for record, after one firing of the Handgun Night Qualification Course, shall receive additional training. This remedial training must be provided before the trainee is again allowed to re-attempt qualification. The time allocated and the method of remedial instruction shall be determined by the Range Master.

Remediation Ammunition (Handgun Diminished Light Qualification Course)

- A maximum of 150 additional rounds may be expended
- Of these additional rounds, 80 rounds are reserved for a second and third attempt at qualification
- The remaining 70 rounds are to be used for Remedial Training Exercises

A Recruit who fails to achieve the minimum passing standard for the service pistol requirement, will appear before the Recruit Evaluation Board who will submit a recommendation to the Superintendent of Police/Director of Public Safety for termination from the program. At his/her sole discretion, the Superintendent of Police may grant up to two additional attempts at qualification after reviewing the Recruit's Academy record and the recommendation from the Recruit Evaluation Board.

Directing Vehicular Traffic

To successfully complete the Traffic Science portion of this course dedicated to directing vehicular traffic, each Recruit will have to properly demonstrate a minimum acceptable level of proficiency in each of the following areas:

- Use of emphatic directing techniques
- Monitor pedestrians
- Monitor responding emergency vehicles
- Ensure all lanes are stopped
- Positioning within the intersection
- Avoiding gridlock
- Coordinating traffic with adjacent intersections
- Monitoring area for hazards

Each Recruit must achieve a minimum **score of 70%** on the Directing Vehicular Traffic evaluation. This evaluation is based on each Recruit's ability to direct traffic in an actual setting. Each Recruit starts with a perfect score (100), and will have points deducted for incidents of poor performance recorded during their evaluation.

Emergency Vehicle Operations Course (EVOC)

To successfully complete the Emergency Vehicle Operations Course, each Recruit will have to properly demonstrate a minimum acceptable level of proficiency in the areas described below.

Each Recruit must achieve a minimum passing **score of 70%** on the Defensive Driving Course written test, as determined by the National Safety Council. The test will evaluate a Recruit's knowledge of recommended basic driving methodology to ensure maximum safety while operating an emergency response vehicle during routine patrol or when responding to an emergency call.

Each Recruit must demonstrate a minimum acceptable level of proficiency in proper driving techniques and protocols during the practical driving evaluation portion of the course. Specific areas where a Recruit will be evaluated include: proper hand placement upon the steering wheel, proper positioning of seat, rear and side mirror.

Each Recruit must demonstrate a minimum acceptable level of proficiency in proper driving techniques during the practical driving evaluation portion of this course. Specific areas where a Recruit will be evaluated include: reaction time for emergency lane changes, ability to recognize the dynamic limitations of the vehicle and the driver, ability to make quick and safe "U" and "K" turns, ability to drive in reverse through an obstacle course and maintain control of the vehicle, and emergency braking (the proper use of ABS brakes during a panic stop).

Each Recruit must demonstrate a minimum acceptable level of proficiency by successfully completing a cumulative driving course designed to test all components mentioned in the preceding paragraph with lights and sirens to simulate an actual emergency response situation. Each recruit must complete the cumulative driving course with no cone knockdowns and within the predetermined time limit (depending on weather and road conditions).

In addition to the Defensive Driving Course requirement, each Recruit must achieve a cumulative course time of thirty (30) seconds or less to qualify. One (1) second will be added to their score (time) when a cone is knocked down. There are one hundred and sixty (160) cones included in the cumulative course. Example: Complete the course in twenty-seven (27) seconds and knock down four (4) cones. This equates to thirty-one (31) seconds. This score is unacceptable. Failure to demonstrate an acceptable level of proficiency in the Driver Training Course will result in a recommendation for termination from the program.

Vehicular Stop Scenarios

To successfully complete the Traffic Science portion of this course dedicated to Vehicular Stop Scenarios, each Recruit will have to properly demonstrate a minimum acceptable level of proficiency in each of the following areas:

- Visual assessments
- Vehicle positioning
- Verbal control of suspects
- Radio communications
- Communication with partner
- Tactics employed
- Monitoring area for hazards, dangerous conditions, etc.
- Handcuffing tactics
- Felony vehicle stops

Each Recruit must achieve a minimum score of 70% on the Vehicular Stop Scenarios evaluation. This evaluation is based on each Recruit's ability to perform these functions in a simulated setting. Each Recruit starts with a perfect score (100), and will have points deducted for incidents of poor performance recorded during their evaluation.

Fire Fighting Procedures Course

To successfully complete the Fire Fighting Procedures Course, each Recruit will have to properly demonstrate an acceptable level of proficiency in the following areas:

- Fire Behavior and Classes of Fire
- Thermal balance concepts
- Use of Self Contained Breathing Apparatus (SCBA)
- Nozzles, adapters, reducers, and Scott Air-Pak 4.5
- Identification and use of fire extinguishers on live fires
- Primary and secondary search techniques using SCBA
- Direct and indirect fire attack on a live fire
- Vehicle fire fighting techniques
- Proper use of protective clothing
- Confined Space Awareness/Hazmat

In addition to the Fire Fighting skills assessment, each Recruit must achieve a score of 70% on the Fire Fighting written test.

Failure of Fire Fighting Procedures Course

If a Recruit fails to achieve the minimum passing standard for the Fire Fighting practical, the Recruit will be provided appropriate additional training as determined by the Police Academy. The Recruit will then be given one final opportunity to obtain at least the minimum passing score on the practical. Failure to demonstrate an acceptable level of proficiency in the Fire Fighting Course will result in a recommendation for termination from the program.

III. SUPERVISORY EVALUATIONS

Conduct

Recruits are required to maintain the highest level of ethical standards during their time at the Police Academy, as well as throughout their entire career. Therefore, it is critically important that each Recruit strictly adhere to all the rules and regulations with respect to conduct both on and off duty. If a Recruit's conduct fails to meet the standards set forth by the Police Academy, the Recruit will be issued a negative STAR card and may be subject to a recommendation for termination of employment.

Supervisory Evaluations

A comprehensive evaluation process will be conducted throughout the program to determine each Recruit's level of performance in relation to the training standards presented in this guidebook. Each Recruit will be advised of his/her performance both verbally, by Instructors conducting the training, and through written evaluations. During the training program, each Recruit will receive Supervisory Evaluations. These evaluations will measure a number of observable behavioral and performance factors in the following categories of Training: Physical Fitness, Professional Conduct and Field Training (i.e. Crowd Control, Emergency Vehicle Operation, Directing Vehicular Traffic, Vehicle Stop Scenarios, Defensive Tactics, Firearms, Basic Fire Fighting, Emergency Medical Responder, Monadnock Expandable Baton, OC Spray, and Water Safety). During Recruit training, the Academy will review the factors to be considered in evaluating each individual as an outstanding, acceptable, or unacceptable Recruit. The Supervisory Evaluations will be factored into a Recruit's overall class standing. Failure to achieve and maintain acceptable Supervisory Evaluation ratings may result in a recommendation for termination from the program.

Final Grade Point Average (GPA)

Recruits must achieve a final grade point average of **70%**. Recruit GPAs are updated every time a test is administered. A record of each Recruit's GPA status is maintained by Police Academy staff during the training program. Recruits who have a GPA that falls below the minimum requirement and are mathematically deemed unable to achieve a final GPA of **70%** will be recommended for **immediate termination**. The final GPA for each Recruit will be calculated on the three major content areas presented below:

- I. Academics 50%
- II. Performance Skills 40%
- III. Supervisory Evaluations 10%
- IV. Discipline and Attitude (See Rules and Regulations)

Recruits who have failed to achieve a final grade point average (GPA) of 70% **WILL** be recommended for **termination from the program**.

PORT AUTHORITY POLICE ACADEMY RULES AND REGULATIONS

EVERY RECRUIT WILL BE RESPONSIBLE FOR READING AND COMPLYING WITH THE PORT AUTHORITY POLICE ACADEMY RULES AND REGULATIONS PRESENTED BELOW:

APPLICATION:

As new members of the force, Recruits will serve under a probationary status and will not be classified as permanent employees until they have successfully completed twelve (12) months of service as a Probationary Police Officer following their graduation from the Port Authority Police Academy. If a Recruit or Probationary Police Officer's conduct, performance of duty, physical standards, sick and/or absence record or academic/performance ratings fail to meet or achieve a satisfactory standard at any time during his/her probationary period, his/her employment may be subject to termination by the Superintendent of Police/Director of Public Safety.

The list of Rules and Regulations presented below will govern the conduct of each Recruit while at the Port Authority Police Academy and are issued under the authority of the Superintendent of Police/Director of Public Safety and the Commanding Officer of the Port Authority Police Academy. Recruit compliance with the Port Authority Rules and Regulations, the Police Division Instructions (PDI's), the Police Operations Instructions (POI's), Interim Orders, General Orders, Operations Orders, Written Directives and the Police Academy Rules and Regulations is expected at all times. Each Recruit will be responsible for his/her adherence to the rules and regulations as stated in the above-mentioned documents and under no circumstances will a Recruit be excused by a claim of ignorance of the above-mentioned rules and regulations. Should a Recruit, at any time, be in doubt as to the meaning of any order, rule, directive, and/or regulation, the Recruit should immediately ask his/her Supervisor or Instructor for an interpretation. Any Recruit that fails to comply with any rule, regulation, or instruction while at the Port Authority Police Academy will be subject to disciplinary action and/or termination.

All Recruits are responsible for reading and complying with Police Division Instruction 10-1, otherwise known as the Port Authority Police Department's "Rules of Conduct." Each Recruit is responsible for adhering to the above directive upon entrance to the Port Authority Police Academy.

PORT AUTHORITY POLICE ACADEMY RULES AND REGULATIONS

1.00 ABSENCE POLICY:

1.01 A Recruit who becomes ill during off-hours or a scheduled holiday must report sick no later than **TWO (2)** hours prior to the start of reporting for duty; unless the illness or injury arises within that two-hour mandatory reporting period. Recruits who become ill or injured must notify the appropriate parties listed below no later than 0345 hours on the day he/she is scheduled to report for duty. If a Recruit becomes seriously ill over a weekend period and anticipates that as a result, he/she will be unable to report for the next scheduled tour of duty, he/she must report sick by contacting the Absence Control Unit at 1-800-451-SICK. If there is a change in medical status, a Recruit must report it to Absence Control (e.g.,: out with a sprain, then you become ill from a stomach virus). If a Recruit cannot reach someone from the Absence Control Unit, the Recruit must notify the Port Authority Central Police Desk at 1-800-776-8580 **AND** the Police Academy: Sergeant Elliott at (201) 216-2644. In the event that the Recruit is unable to personally make the notification due to the nature of the illness, he/she must have someone contact the above listed numbers on his/her behalf.

NOTE: Recruits with less than three (3) months in grade who report sick will be carried on a **NO PAY** status.

1.02 A Recruit that reports sick must provide the following information:

- a) Location and telephone number where he/she can be reached;
- b) Nature of illness or injury;
- c) Name, address, and phone number of attending physician;
- d) Date of anticipated return to duty.

1.03 When reporting back to duty from sick leave, Recruits **MUST** report no later than two (2) hours prior to their next scheduled tour of duty by notifying the Absence Control Unit as per Rule 1.01 stated above. Each Recruit **MUST** also notify the Police Academy: Sergeant Elliott at (201) 216-2644 or any other number provided by the Academy staff by no later than 0345 hours on the day he/she is scheduled to report for duty.

1.04 During regular working hours, Recruits who are cleared by the Office of Medical Services as fit for duty **MUST IMMEDIATELY** report back to the Police Academy to complete his/her tour of duty following notification to the Absence Control Unit.

1.05 If a Recruit sustains an injury during any training at the Police Academy or at any other training site, he/she **MUST IMMEDIATELY** notify any Supervisor/Instructor of such occurrence. The Recruit must also provide a detailed account of the incident

surrounding the injury and supply the names of witnesses, whenever possible. Additionally, Port Authority Form 360 (Employee Occupational Disease or Injury Report) must be prepared and submitted to your immediate Supervisor within a twenty-four (24) hour period. If a Recruit incurs an injury while on-duty and does not notice/feel the injury until off-duty within the twenty four (24) hour period of the injury occurrence, the Recruit will immediately notify the Central Police Desk at 1-800-776-8580 and will document the name of the Supervisor he/she spoke to. The Recruit will immediately notify the Recruit Coordinator upon return to the Police Academy on the next tour of duty. If the Recruit is unable to attend their next scheduled tour of duty, the Recruit will immediately contact Sgt. Elliott at 201-216-2644. If the Recruit is unable to make said phone call, he/she is responsible to have someone contact the above numbers on his/her behalf.

- 1.06 Recruits are directed to acquaint themselves and be well-versed in the provisions of PDI 2-9, known as the "Sick Leave Policy."
- 1.07 A Recruit "absent without leave" (AWOL) for one (1) day during the Police Academy Recruit training program shall be deemed to have resigned from the program and employment with the Port Authority.
- 1.08 A Recruit recorded as being absent for forty (40) hours or five (5) days of training, consecutive or otherwise, regardless of the reason, will appear before the Recruit Evaluation Board and his/her retention in the program will be considered by the Board.
- 1.09 A Recruit who fails to attend any training session, **REGARDLESS OF THE REASON**, will be responsible for obtaining class notes, text materials and any other pertinent information.
- 1.10 If an emergency situation arises during off-duty hours, a Recruit is expected to report for his/her scheduled tour of duty. A Recruit will not be excused from duty without authorization from the Commanding Officer of the Police Academy or his/her designee. Failure to comply with this directive will result in disciplinary action and/or a recommendation for termination from the program.
- 1.11 Emergency time off during the Police Academy Recruit training program will be granted only by the Commanding Officer of the Police Academy or his/her designee.
- 1.12 Severe weather conditions: In the event of an expected severe weather condition during off duty hours, the Commanding Officer of the Police Academy or his/her designee will contact the Central Police Desk by 0300 hours on the day in question. The Commanding Officer will notify CPD of his/her determination on whether or not Recruit training will be held. Each Squad Leader shall call the Central Police Desk by 0315 hours and then be responsible to contact a member of his/her squad who will be responsible to contact another member of his/her squad and so on until all members of that squad are notified. If it is determined that training will be held, it is expected that each Recruit will be present for his/her tour of duty.

- 1.13 **Catastrophic Events:** In the event of a catastrophic situation including, but not limited to, terroristic attacks, manmade and/or natural disasters, each Recruit is expected to be present for his/her scheduled tour of duty. It is the responsibility of each Squad Leader to contact the Central Police Desk (CPD) upon becoming aware of a catastrophic situation during off duty hours. They are to be guided by the Central Police Desk's instructions on how to proceed. Each Squad Leader in turn, will call the Recruits assigned to his/her squad and notify the Recruits of CPD's instructions on reporting for duty. Additionally, each Squad Leader will contact all other Squad Leaders to ensure that everyone is apprised of the situation and how to proceed.
- 1.14 **Military Leave:** Any Recruit who is an active member of the National Guard or a Reserve Unit and receives notice that his/her unit is scheduled for training must submit a Handwritten (PA Form 2265) to the Commanding Officer. The Handwritten must indicate the following: the name of the military unit's Commanding Officer, unit designation, address, place and time of training and orders. (Attach a copy of orders to the Handwritten whenever possible).
- 1.15 **Resignation:** A Recruit wishing to resign must state his/her intention to resign, in the form of a Handwritten (PA Form 2265) to the Commanding Officer of the Police Academy. The Recruit must return any Department issued property upon resignation.
- 1.16 While attending the Police Academy, Recruits are not permitted to take any leave of absence, vacation, compensatory time off, or any other form of excused leave of absence without written permission from the Commanding Officer of the Police Academy.

2.00 LATENESS POLICY:

- 2.01 The Port Authority Police Department does not tolerate lateness of any kind. When a Recruit arrives late for a scheduled tour of duty, he/she will be required to record his/her presence in the official sign-in book once they are in proper uniform and ready for duty.
- 2.02 A Recruit reporting late for duty will be interviewed by his/her immediate supervisor. Following the interview, the supervisor will prepare a Lateness Report, citing all factual information within the remarks section of the report. No prep time allowance (PTA) is authorized when a Recruit is late, regardless of the reason or the amount of time.
- 2.03 The Recruit must sign the Lateness Report to acknowledge his/her awareness of the report and that the circumstances, as reported, are accurate. The Commanding Officer of the Police Academy will review all Lateness Reports and will see that they are filed in the Recruit's personnel file.
- 2.04 The Commanding Officer of the Police Academy, upon receipt of three or more Lateness Reports for the same Recruit, will direct that a Derogatory Incident Report be prepared for that Recruit.

- 2.05 Recruits must report to all scheduled classes on time immediately following all breaks, as outlined in the Police Academy Recruit training program.

3.00 OUTSIDE EMPLOYMENT:

- 3.01 Police Recruits are not permitted to engage in outside employment of any kind due to the nature and intensity of the Police Academy's training program.
- 3.02 While attending the Police Academy, Recruits are not permitted to take any leave of absence, vacation, compensatory time off, or any other form of excused leave of absence received from former employers.

4.00 POLICY PROHIBITING AGENTS AND SALES PERSONS:

- 4.01 No unauthorized agents or salespersons will be permitted to canvas, display, and/or sell merchandise to Recruits while at the Police Academy. Recruits of the Police Academy cannot serve in any capacity as an agent, salesperson, and/or representative of a business or commercial firm for personal gain.

5.00 DISCIPLINE:

- 5.01 Discipline is paramount to the effective operation of any law enforcement organization. Violations of any applicable rules and regulations or of a direct lawful order made by a Supervisor or Academy staff member to a Recruit will be considered by the Recruit Evaluation Board and may result in a recommendation for termination. Any and all such violations will result in the issuance of a negative STAR card.
- 5.02 Each Recruit will be issued three (3) STUDENT TRAINING ACTIVITY REPORT (STAR) cards that must be carried by each Recruit at all times during training at the Police Academy. Each STAR card must have printed in black ink, the Recruit's full name, employee and squad number. STAR cards allow Academy Supervisors to document, monitor, and evaluate unacceptable conduct. However, STAR cards can also reflect positive conduct as well. STAR cards that document unacceptable conduct will result in a written warning, probation, and/or a Derogatory Incident Report. Each Recruit must present their STAR cards to any Academy staff member upon request.
- 5.03 STAR cards will be categorized into two (2) types: **MINOR INFRACTIONS AND MAJOR INFRACTIONS.**
- 5.04 A Recruit who receives a *minor infraction* on their STAR card will have one-tenth (.1) of a point removed from his/her overall final grade point average. Five (5) or more minor infractions in a four (4) week period will result in the issuance of a *major infraction*.
- 5.05 A Recruit who receives a *major infraction* on their STAR card will have one-half (.5) of a point removed from their overall final grade point average and appear before the

Recruit Evaluation Board who may recommend placing the Recruit on probation. If a Recruit receives three (3) or more **major infractions** during the Police Academy Recruit training program, the Recruit Evaluation Board will submit a recommendation for termination to the Superintendent of Police/Director of Public Safety.

- 5.06 At the conclusion of the Police Academy Recruit training program, all Incident Reports, Memorandum of Complaints, Disciplinary Actions, Incidents of Probation, and Commendatory Incident Reports will be placed in the Recruit's personnel file for the duration of his/her probationary period.
- 5.07 Recruits must comply with all lawful orders of the Superintendent of Police/Director of Public Safety, all Command Staff and the Commanding Officer of the Police Academy, Supervisors of the Department, and all members of the Academy staff.
- 5.08 While performing field training, each Recruit must comply with all rules and regulations of the command where training is being conducted, as well as the Police Academy Rules and Regulations.
- 5.09 A Recruit who believes that he/she has received an improper penalty may state his/her objection(s) in writing to the Commanding Officer of the Police Academy on a Handwritten (PA Form 2265).

6.00 PERSONAL CONDUCT:

- 6.01 Recruits are prohibited from eating, drinking, and/or smoking in areas other than those designated by the Police Academy.
- 6.02 Recruits are required to be respectful of others and will provide their name and employee number to any person(s) who requests it.
- 6.03 Recruits are expected to conduct themselves in a professional and orderly manner at all times. Conduct that is disruptive to the proper decorum of the classroom environment or any other area where Police Academy training is being conducted is strictly prohibited.
- 6.04 Recruits on-duty are prohibited from reading newspapers, books, or magazines while in public areas. However, Recruits are permitted to study their class notes and/or textbooks.
- 6.05 Recruits on-duty are prohibited from consuming alcoholic beverages and/or entering any premise(s) licensed for on-premise consumption of alcoholic beverages.
- 6.06 Recruits are prohibited at all times from congregating within any establishment licensed for on-premise consumption of alcoholic beverages, unless permission has been granted by the Commanding Officer of the Police Academy.

- 6.07 Except in the performance of duty, Recruits on-duty are prohibited from running, engaging in athletics, loitering, or congregating in public areas.
- 6.08 Recruits on-duty will not expectorate, chew gum, or chew tobacco in the classroom and/or in public areas.
- 6.09 Recruits are prohibited from using obscene/indecent language or from engaging in loud or boisterous behavior at the Police Academy or any other location where training is being conducted.
- 6.10 When engaging in conversation with others, Recruits are prohibited from using or making comments that may be considered derogatory, inflammatory, or offensive in nature.
- 6.11 Police business is confidential in nature and Recruits are prohibited from discussing police business with unauthorized persons or in the presence of non-police personnel.
- 6.12 Recruits in uniform are prohibited from smoking in public view. Recruits are also prohibited from smoking in any area of the Police Academy and are expected to comply with the Port Authority "NO SMOKING" policy.
- 6.13 Except in the performance of his/her duty, Recruits are prohibited from carrying packages, newspapers and/or other parcels while in uniform. Recruits in uniform are only permitted to carry the bag authorized by the Police Academy.
- 6.14 Recruits are prohibited from playing cards or games of chance while on-duty.
- 6.15 Recruits are expected to promptly pay his/her debts and to sustain only those debts that he/she can readily discharge.
- 6.16 Recruits must be truthful and honest at all times. Failure to do so will result in disciplinary action. If a Recruit is found to have been untruthful or dishonest, a recommendation for his/her termination will be forwarded to the Superintendent of Police/Director of Public Safety.
- 6.17 Recruits are prohibited from congregating in any public corridor at the Police Academy or any other training site. When assembled in public areas, each Recruit is held responsible for maintaining a clear area for passage by any person(s). Should uniformed member(s) of this Department or any other Police Department attempt to pass, Recruits shall immediately follow the "make way" protocol. In addition, Recruits shall "make way" for civilians while inside any training facility.
- 6.18 Recruits are prohibited from making adjustments to any electrical and/or mechanical device or any other equipment at the Police Academy training site, unless instructed or requested to do so by a Supervisor.

- 6.19 Littering in any part of the Police Academy training site or elsewhere is prohibited. Trash must be placed in the proper receptacles at all times.
- 6.20 Playing ball or other games in or around the Police Academy or any other training site is prohibited, unless given direction or permission to do so by Academy staff.
- 6.21 Amorous display of affection between Recruits on Port Authority premises or any other training facility is strictly prohibited.
- 6.22 Fraternization between Recruits and Academy staff while on or off-duty is strictly prohibited. The Police Academy defines fraternization as inappropriate social contact between Academy staff and Recruits inside and outside of the training environment.
- 6.23 "Hazing" in any manner, shape or form is strictly prohibited. "Hazing" is defined as the harassment or persecution of others for the purpose of humiliation, initiation or annoyance. Any allegation of hazing will be immediately reported to the Police Integrity Unit.
- 6.24 Recruits will use the stairs when at any Police Academy training site. The use of elevators at any training site is strictly prohibited unless authorization is granted by an Academy staff member.
- 6.25 Recruits are representatives of the Port Authority Police Department and are thus prohibited from engaging in the formation of cliques and/or unauthorized groups.
- 6.26 Recruits must render a salute to all uniformed members of this Department or any other Police Department.
- 6.27 Recruits will follow ALL posted rules and regulations of the Police Academy.
- 6.28 Recruits will not leave the Police Academy grounds while on-duty for any reason except when granted permission to do so by an Academy staff member.
- 6.29 No furniture or other equipment will be moved from one room to another unless directed to do so by an Academy staff member.
- 6.30 Recruits are not permitted to have cellular telephones on their persons during classroom instruction. Additionally, no cellular telephones will be used while in public areas or on Police Academy grounds.
- 6.31.1 Recruits will come to the position of attention anytime an Academy staff member enters any room.
- 6.32 The posting of any unauthorized printed material on Police Academy grounds is prohibited.
- 6.33 A member of force, except with the permission of the Superintendent of Police, shall not knowingly associate with or have any dealings with criminals, racketeers, gamblers or persons engaged in unlawful activities.

7.00 OFF-DUTY INCIDENTS:

- 7.01 Recruits will be responsible for reporting any off-duty incidents. Off-duty incidents are generally defined as any unusual incident that occurs when a Recruit is not at the Police Academy or any other training site. These situations include, but are not limited to, motor vehicle accidents, summonses, domestic violence situations, or the taking of any form of police action or any other situation which can lead to the Recruit being the subject of a law enforcement action or situation, which could possibly lead to future civil or criminal litigation or violations of Port Authority Rules and Regulations.
- 7.02 During the hours when the Police Academy is closed, notification of all off-duty incidents must immediately be made to the Central Police Desk (1-800-776-9598).
- 7.03 In addition to making off-duty incident notifications by telephone, a detailed Handwritten report (PA Form 2265) regarding the incident must be submitted by the Recruit to the Commanding Officer of the Police Academy immediately upon his/her next scheduled tour of duty.

8.00 POLICE ETHICS:

- 8.01 Recruits, whether on or off-duty, must conduct themselves in accordance with the Constitution of the United States, and the Constitution of the States of New York and New Jersey.
- 8.02 Recruits will refrain from any conduct that detracts from the public's faith and the integrity of the Criminal Justice System.
- 8.03 Recruits learning of any unlawful or unethical conduct or observing such type of conduct, which is in violation of any law or policy of this Department, will take the appropriate action of reporting the incident to the Recruit's immediate supervisor.
- 8.04 Recruits will refrain from fostering any disharmony at the Police Academy based upon diversity, and will perform their duties without regard to sex, race, age, color, creed, religion, national origin, marital status, and/or sexual orientation.
- 8.05 Recruits will not, whether on or off-duty, exhibit any conduct which discredits themselves or the Department and/or otherwise impairs their ability to provide services to the community as a member of the Police Academy and Port Authority Police Department.
- 8.06 Recruits will treat all members of the Department and the public with courtesy and respect, at all times, whether on or off-duty.
- 8.07 Recruits are prohibited from accepting, giving or soliciting any gratuity, which could be reasonably interpreted as being capable of influencing their official duties. Recruits are

prohibited from using their status as a Police Academy Recruit for personal, commercial or political gain, or when a conflict of interest exists.

8.08 Gambling in any form is strictly prohibited.

9.00 PERSONAL APPEARANCE:

9.01 Recruits must be clean and neat. Adornments, cosmetics, and jewelry items of any kind are not to be visible outside any uniform. A watch and/or wedding ring is the only permitted jewelry items allowed to be in public view.

9.02 Hair must be in conformance with department policy. Sideburns will not extend below the bottom lobe of the ear. Mustaches will not be permitted. Recruits will be otherwise clean-shaven every day at the Police Academy. Beards, goatees or any hair growth below the bottom lip or on the chin are not permitted. Female Recruits will wear their hair up from the collar in accordance with PDI 7-6.

10.00 UNIFORMS:

10.01 Uniform inspections will be conducted daily at roll call. Any deficiencies with respect to the proper wearing of the uniform, personal grooming, proper leather goods, and the proper display of insignias, hat shield, and patches will result in disciplinary action.

10.02 The uniform of the day shall be prescribed by the Police Academy Commanding Officer. Recruits will be responsible for maintaining the appropriate uniform in his/her locker as well as the appropriate quantity. Failure to do so will result in disciplinary action. If no locker is available, Recruits will be required to maintain all previously listed equipment in their black duffle bags.

10.03 Uniforms will be worn clean, neat and well pressed.

10.04 Black uniform earmuffs may be worn on outdoor assignments during the winter months.

10.05 Recruit uniforms will not be worn when off-duty, except when traveling to or from training.

10.06 The uniform cap must be worn at all times in public areas, while on-duty and in uniform. When traveling between home and a training site, the police hat may be removed and will be worn upon entering the training site. At times not worn, the hat will be carried in such a manner as to be protected from harm and removed from view. The hat will also be removed while in class and during meals in the cafeteria.

10.07 Recruits must purchase regulation uniforms as per PDI 7-6, from a list of suggested vendors. **DO NOT ORDER REGULATION POLICE UNIFORMS UNTIL DIRECTED TO DO SO.**

- 10.08 The Academy staff will inspect uniforms before they are to be worn at graduation.
- 10.09 Upon graduation from the Police Academy, Recruits will be issued one Blauer patrol jacket, one police regulation cap, and one pair of trousers regulation 14 ounce blue serge.

11.00 EQUIPMENT:

- 11.01 Each Recruit will be given a copy of the Police Academy Rules and Regulations, the Police Patrol Guide (which includes the Police Division Instructions (PDI), Police Operations Instructions (POI), Police General Orders, and Police Interim Orders) and a memorandum book cover. These items are Department property and each Recruit is responsible for their care and custody. These items shall be presented for inspection when ordered.
- 11.02 At graduation, each probationary Police Officer will be issued a shield, hat plate, regulation service pistol (9mm GLOCK), forty-six rounds of ammunition, three (3) magazines and a holster. **THESE ITEMS ARE POLICE PROPERTY AND EACH OFFICER IS RESPONSIBLE FOR THEIR CARE AND CUSTODY.**

12.00 CLASSROOM CONDUCT:

- 12.01 Upon arrival at classrooms, Recruits will stand at attention in front of their assigned seats and refrain from conversation, until given further instructions by a staff member.
- 12.02 Recruits will sit erect with his/her feet on the floor being alert and attentive in class at all times. A Recruit will not leave the classroom without permission.
- 12.03 When classes are in session, Recruits will speak only when called upon or after receiving consent from the instructor. Speaking without permission or engaging in conversation between Recruits during a class session is prohibited. If a Recruit wishes to ask a question, he/she shall raise his/her hand.
- 12.04 Recruits shall stand at attention when speaking to an instructor in the classroom, unless otherwise directed by the instructor.
- 12.05 Class relief periods are a privilege. Recruits are not to roam about the building or loiter in the locker room.
- 12.06 When dismissed, Recruits will not loiter in or around the Academy except when remaining on official business or for remediation.
- 12.07 When dismissed, Recruits will turn off the classroom lights, and the designated squad will be responsible to see that the room is clean and orderly.

- 12.08 Newspapers, books, periodicals, internet documents, and similar materials **shall not** be brought to classrooms unless for use in connection with instruction to be given. Recruits are required to be fully prepared for the scheduled lessons, bringing to class all necessary books and materials.
- 12.09 Classroom relief periods are a rest period for the instructors as well as the Recruits. All questions should be raised in class rather than by private interview.
- 12.10 Sleeping in class is prohibited and will result in disciplinary action.
- 12.11 The Recruit nearest the door will call the class to attention when an Instructor, staff member, or ranking member of the Department enters the room.
- 12.12 Eating or drinking is not permitted in the classroom, or in any other area of the Police Academy.
- 12.13 Cheating in any form **will not** be tolerated and will result in a recommendation for termination to the Superintendent of Police/Director of Public Safety.
- 12.14 Recruits are prohibited from visiting any office in the training center, either for official business or personal reasons, unless the Recruit Coordinator has granted permission.

13.00 MILITARY DECORUM:

- 13.01 Recruits will stand at attention when addressing or being addressed by a supervisor. Recruits must address all Supervisors and staff members either by title, "SIR" and/or "MA'AM". Recruits will respond by using "Sir, Yes Sir" or "Sir, No Sir" or "Ma'am, Yes Ma'am" or "Ma'am, No Ma'am" as appropriate. Recruits will stand at attention when supervisors of all ranks enter a classroom and at other times as directed by the instructor.
- 13.02 Recruits must always approach an Officer of this or any other Department by a hand salute, and again on departure.
- 13.03 Recruits are not permitted in the staff office at any time unless called upon to do so by a member of the staff.
- 13.04 A Recruit will knock and await *permission* before entering the office of any Academy Instructor.
- 13.05 Any instructions given to a Recruit by a Police Academy staff member, whether in or out of uniform, is considered a direct order.
- 13.06 When on duty, Recruits will proceed in a military formation when going from one location of the Academy to another.
- 13.07 When inside a training facility, Recruits on-duty will go from one location to another by marching single file along the wall on the right hand side of the hallway.

- 13.08 Recruits will strictly adhere to all courtesies and honors governing the American Flag and the National Anthem.
- 13.09 Recruits will not stand or walk with their hands in their pockets.
- 13.10 Recruits are prohibited from changing places on any roster or duty assignment.
- 13.11 Recruits are forbidden to sign-in or sign-out for one another.

14.00 FIREARMS:

- 14.01 Recruits possessing handguns will comply immediately with General Order 500-05, "Personal Gun Registration." Recruits are reminded that Police Officer status and the authority to possess and carry weapons do not apply until graduation from the Academy and appointment as a sworn Police Officer. During the first week of training, Recruits must notify the Executive Officer if they have a valid carry permit issued by New York or New Jersey authorities or any other jurisdiction.
- 14.02 Recruits that possess Peace Officer or Police Officer status from another jurisdiction will immediately report that information to the Recruit Coordinator. Recruits in this category are prohibited from carrying any shield, identification card, or weapon while on or off-duty, unless specifically authorized by the Superintendent of Police/Director of Public Safety.
- 14.03 The handling of any firearm during training will be governed by the safety rules presented in the Firearms Training Manual.
- 14.04 Under no circumstances will a Recruit be allowed to carry a firearm into a classroom.

15.00 TELEPHONE CALLS:

- 15.01 No telephone calls to the Police Academy telephone number by outside parties will be accepted. Exceptions will be made for family and/or medical emergencies.
- 15.02 THE EMERGENCY NUMBER for the Police Academy is the Executive Officer's phone number, (201) 216-2647. If unavailable, contact Sgt. Elliott at (201) 216-2644 or the Central Police Desk at 1-800-776-8580.
- 15.03 No personal calls will be made from the Police Academy telephones.
- 15.04 Cell phones and other electric devices are strictly prohibited unless granted permission by Academy staff.

16.00 VISITORS:

- 16.01 Recruits are not permitted to receive visitors. All visitors or emergency callers will be referred to the Recruit Coordinator who will determine whether or not the Recruit is available to receive them.

17.00 NOTES AND NOTEBOOKS:

- 17.01 Each Recruit will keep notes of each lesson in a Recruit notebook. The following information shall be on the cover of the notebook: RANK, NAME, SQUAD NUMBER, & EMPLOYEE NUMBER.
- 17.02 All notes will be kept in an outline form and arranged according to the various disciplines of the curriculum. A one-inch margin will be maintained on both sides of the page for Instructor comments.
- 17.03 Recruit notebooks will be made available for inspection at any time during the training program, and will be inspected for completeness, content and neatness.
- 17.04 All Recruits will maintain a memo book as set forth in PDI 7-8, "Regulation Memo Book," IV, A-10.

18.00 RESIDENCE/MARITAL STATUS:

- 18.01 A Recruit will promptly notify the Commanding Officer of the Police Academy of any change of residence or marital status. He/she will also make available any new emergency contact telephone number and address, if they should change during the training period.

19.00 MEALS:

- 19.01 The cafeteria will be used during designated meal times. All Recruits will sit in the designated area and avoid unnecessary conversation.
- 19.02 Proper dining room etiquette must be adhered to at all times.
- 19.03 No food, drinks or eating utensils can be removed from the cafeteria, unless otherwise instructed to do so by Police Academy staff.
- 19.04 When a Recruit has finished his/her meal, he/she will be responsible for making sure that the table is cleaned, and that trays and dishes are returned, before proceeding to the next assignment.

20.00 VEHICLES:

- 20.01 Recruits will not operate Department motor vehicles without first having received explicit instructions to do so from a Police Academy staff member.
- 20.02 Recruits must immediately report on a Handwritten (PA Form 2265) any suspension and/or revocation of his/her Driver's License to the Police Academy Commanding Officer or his/her designee.
- 20.03 Any vehicle owned and operated or under the control of any Recruit will comply with all provisions of the motor vehicle/traffic laws of the states of New York or New Jersey.
- 20.04 Any Recruit that is involved in a motor vehicle accident with a Department or personal vehicle must report the accident immediately to the Commanding Officer of the Police Academy or his/her designee during training hours. During off duty hours, Recruits will abide by Section 7.00 of this guide.

21.00 GENERAL:

- 21.01 A Recruit who becomes the subject of a civil or criminal complaint will notify the Commanding Officer of the Police Academy or his/her designee immediately or as soon as practical during training hours and will document such information on a PA 2265. During off-duty hours, Recruits will abide by Section 7.00 of this guide.
- 21.02 Conduct prejudicial to the good order, efficiency and/or discipline of the Police Academy, whether or not specifically outlined in the Rules and Regulations of the Police Academy, is prohibited.

22.00 CHAIN OF COMMAND:

- 22.01 Recruits must follow the chain of command outlined in this section.
- 22.02 **Commanding Officer:** The Commanding Officer is the highest-ranking officer in the Police Academy. The Commanding Officer is responsible for the administration and operation of the Police Academy and for overseeing all training programs.
- 22.03 **Executive Officer, Lieutenant, Law Enforcement Training Supervisor:** This Supervisor is responsible for the overall Recruit training, including all training pertaining to Fire Fighting, First Responder and Water Safety. All access to the Lieutenant is through the Recruit Coordinator. The Lieutenant, after consultation with the Recruit Coordinator, will determine the course of ALL disciplinary matters. A designee supervisor will assume the Law Enforcement Supervisor's responsibilities in the Lieutenant's absence.

- 22.04 **Recruit Coordinator:** This Supervisor is responsible for the overall administration of the Recruit class. He/she must be informed of any incident, situation or problem, which could affect the training for an individual Recruit or that of the entire class. He/she is the intermediary between Recruits and Academy administration. This Supervisor will monitor your training progress and note any deficiencies. ALL ACCESS TO THE RECRUIT COORDINATOR MUST BE THROUGH A SQUAD ADVISOR.
- 22.05 **Squad Advisor:** The class is divided into Squads and each squad is placed under the direct supervision of a Squad Advisor. The Squad Advisor is responsible for the proper discipline of the squad and for the proper evaluation of individual Recruits within his/her squad. Squad Advisors are available for guidance, consultation, and assistance. In addition to being instructors, they are field officers of considerable experience. The Squad Advisor is to be considered the immediate contact person in the chain of command.
- 22.06 **Other Instructors:** Adjunct instructors are guest lecturers, who may be College Professors, other members of this Department or other Law Enforcement Agencies. They have specific areas of expertise that are part of the curriculum. As such, they are to be afforded every courtesy and appropriate respect. Police Armorers are part of the Academy staff and are responsible for safety on the firing line. All instructions given by **ANY** Academy staff member are to be complied with immediately.
- 22.07 **Squad Leaders Duties:** Convey all orders and directions from supervisors to his/her squad. Obtain an accurate accounting of all squad members and advise the Squad Advisor of the same.
- 22.08 Before a Recruit consults with the Recruit Coordinator, or with senior Academy staff members, they must first notify their Squad Advisor. In the event that your Squad Advisor is unavailable, you can receive permission from another Squad Advisor (**ONLY ANOTHER SQUAD ADVISOR**), who will be responsible for notifying your Squad Advisor of all pertinent information. Except in an emergency, you must have the expressed permission of your Squad Advisor and/or the Recruit Coordinator to request an interview with the Police Academy Executive Officer or Commanding Officer.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
HAND-WRITTEN MEMORANDUM

To: Captain M. Brown
From: Recruit John Doe #12345
Date: 01/18/13
Subject: Remediation

The undersigned Recruit respectfully requests to have remediation in the following area of Law:

Juvenile Law.

Recruit John Doe #9876

Signature Recruit John Doe #9876

I have read and am familiar with this report _____

Supervisor – Superior

(TO BE USED FOR HANDWRITTEN REPORTS ONLY)



PORT AUTHORITY POLICE ACADEMY
FIELD TRAINING PERFORMANCE APPRAISAL

NAME:	EMPLOYEE#	PERIOD REPORT		
		FROM:	TO:	
CATEGORIES	EVALUATING INSTRUCTOR	ABOVE STANDARDS	MEETS STANDARDS	BELOW STANDARDS
POLICE BATON				
OLEORESIN CAPSICUM SPRAY				
DEFENSIVE TACTICS				
DEFENSIVE DRIVING				
WATER SAFETY				
TACTICS (Vehicle Stops/Basics)				
FIRST AID				
FIREARMS				
FIRE FIGHTING				
ATTENDANCE/NO. OF DAYS ABSENT (ILLNESS): TOTAL NO. OF DAYS ABSENT: NUMBER OF ABSENCE OCCASIONS:				
PUNCTUALITY: TOTAL # OF TIMES LATE: AVERAGE AMOUNT OF LATENESS: MINUTES:				
<u>COMMENTS:</u>				

OVERALL RATING – ON THE BASIS OF THE RATING AND THE REMARKS IN THIS APPRAISAL, WE FEEL THIS RECRUIT IS:

ABOVE STANDARD () MEETS STANDARD () BELOW STANDARD ()

 UNIT COORDINATOR DATE:

 RECRUIT SIGNATURE DATE:
 (I have reviewed and familiarized myself with the information listed above)

 ENFORCEMENT TRAINING DATE:
 SUPERVISOR (LT.)

 COMMANDING OFFICER DATE:



PORT AUTHORITY POLICE ACADEMY
MID – TERM PERFORMANCE APPRAISAL

NAME:	EMPLOYEE#	PERIOD			
		REPORT	FROM:	TO:	
			ABOVE STANDARDS	MEETS STANDARDS	BELOW STANDARDS
Knowledge: (Of Police Officer Duties & Responsibilities)					
Academic Standing: (Grade Point Average)					
Productivity: (Quantity & quality of work, accuracy, completeness, neatness)					
Ability to Learn: (Learns quickly, obtains knowledge, acquires skills, retains information)					
Relations with others: (Cooperates with Supervisors & others)					
Maturity: (Responsible, proper attitude, dependable, stable)					
Initiative: (Self motivated, resourceful, participates in class)					
Attitude & Social Behavior: (Tolerant, flexible, non-bias, courteous, decisive)					
Written Report: (Complete, accurate, understandable, concise)					
Oral expression: (Clear, concise, persuasive, articulate, communicative)					
Appearance: (Uniform, equipment, personal)					
Physical Fitness/Agility: (Muscular strength, endurance, stamina, flexibility, body composition)					
ATTENDANCE/NO. OF DAYS ABSENT (ILLNESS):		TOTAL NO. OF DAYS ABSENT:	NUMBER OF ABSENCE OCCASIONS:		
PUNCTUALITY:		AVERAGE AMOUNT OF LATENESS	MINUTES	MID-TERM GPA	RANK: IN CLASS OF
<u>COMMENTS:</u>					

OVERALL RATING – ON THE BASIS OF THE RATING AND THE REMARKS IN THIS APPRAISAL, WE FEEL THIS RECRUIT IS:

ABOVE STANDARD () MEETS STANDARD () BELOW STANDARD ()

 UNIT COORDINATOR DATE:

 ENFORCEMENT TRAINING SUPERVISOR (LT.) DATE:

 RECRUIT SIGNATURE DATE:
 (I have reviewed and familiarized myself with the information listed above)

 COMMANDING OFFICER DATE:



EMPLOYEE PERFORMANCE AND PROMOTION APPRAISAL

PA 1981/08-10

- Prob. Police Officer – 6 Months
- Prob. Police Officer – 9 Months

(See P.D.I. -- 2.2 for Instructions in preparation of appraisal)

Police Officer In grade

- Pre-Promotion
- Post Promotion

Name	Employee No.	Period Covered By This Report	
Title	Facility	From	To
		Shield No.	Pay Plan <input type="checkbox"/> C <input type="checkbox"/> F

IMPORTANT NOTE

In fairness to the employee and the Port Authority, consider each item carefully before rating. Judge the employee on the entire period covered by this report, not upon isolated incidents alone. Base your rating on the employee's performance in comparison with what is considered standard performance for the particular position rather than in comparison with other employees.

ATTENDANCE – LAST FIVE YEARS

YEAR					
ABSENCE OCCASIONS					
DAYS LOST					
I.O.D.'s					

PUNCTUALITY
(Police Officer's Only)
Total Times Late During the Last 12 Months _____

FACTORS – TECHNICAL COMPETENCE	Unacceptable (Clearly Below Standard)	Marginal (Approaches Standard)	Average (Meets Standard)	Above Average (Above Standard)	Outstanding (Among the Very Best)
1. JOB KNOWLEDGE Possesses the knowledge and skills required to perform the job	<input type="checkbox"/>				
2. QUALITY OF WORK Accuracy Completeness Efficiency	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
3. ABILITY TO LEARN Learns quickly Remembers what is taught	<input type="checkbox"/> <input type="checkbox"/>				
4. WRITTEN REPORTS Reports are complete Reports are accurate Reports are clear Reports are concise	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
5. RESPONSE TO INCIDENTS Responds quickly Handles properly	<input type="checkbox"/> <input type="checkbox"/>				
6. DECISION MAKING Possesses judgment required to make good decisions and is willing to make them	<input type="checkbox"/>				
7. DRIVING ABILITY Alert and safe (rate for police officers and sergeants only) Number of accidents in the last 12 months _____	<input type="checkbox"/>				
OVERALL RATING:	<input type="checkbox"/>				

COMMENTS ON TECHNICAL COMPETENCE

FACTORS – TECHNICAL COMPETENCE	Unacceptable (Clearly Below Standard)	Marginal (Approaches Standard)	Average (Meets Standard)	Above Average (Above Standard)	Outstanding (Among the Very Best)
8. RELATIONS WITH SUPERIORS Supportive but willing to express opinions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. RELATIONS WITH CO-WORKERS Operates as part of a team	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. RELATIONS WITH SUBORDINATES Maintains high morale (rate for sergeants and lieutenants only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. RELATIONS WITH PUBLIC Treats public with respect, dignity and tactfulness while carrying out all responsibilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OVERALL RATING:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS ON INTERPERSONAL RELATIONS

FACTORS – PERSONAL CHARACTERISTICS		Unacceptable (Clearly Below Standard)	Marginal (Approaches Standard)	Average (Meets Standard)	Above Average (Above Standard)	Outstanding (Among the Very Best)
12. MATURITY	Responsible and stable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. INITIATIVE	Takes steps to prepare himself/herself independently and without urging	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. DEPENDABILITY	Can be counted on to perform effectively with minimum supervision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. ORAL EXPRESSION	Speaks clearly Speaks concisely	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
16. APPEARANCE	Uniform, equipment and personal grooming	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. PHYSICAL FITNESS	Weight and condition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. FLEXIBILITY	Adapts to changes in circumstances and ideas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. RESOURCEFULNESS	Ability to handle non-routine matters in a capable manner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. INTEGRITY	Adherence to a high code of ethical and moral standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OVERALL RATING:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS ON PERSONAL CHARACTERISTICS						
FACTORS – SUPERVISORY/MANAGERIAL ABILITY		Unacceptable (Clearly Below Standard)	Marginal (Approaches Standard)	Average (Meets Standard)	Above Average (Above Standard)	Outstanding (Among the Very Best)
21. SUPERVISORY SKILLS :	Effectively plans, organizes and motivates others to accomplish organizational goals. (Sergeants and lieutenants only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. MANAGEMENT ORIENTATION	Supportive or organization and its goals (Sergeants and lieutenants only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OVERALL RATING:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS ON SUPERVISORY/MANAGEMENT ABILITY						
RELATED DATA – DISCIPLINARY INFORMATION AND COMMENDATIONS: MEDALS, AWARDS						
RECOMMENDATION FOR PROMOTION – (Complete one of the following statements when rating for promotion only). The best performer at one level is not necessarily the best individual to promote to the next level. In making your recommendation for promotion, consider the knowledge, skills and attitudes required for success as a police superior officer.						
A. STRONGLY RECOMMENDED – This individual poses the knowledge, skills and personal characteristics to be an outstanding			C. NEEDS DEVELOPMENT – This individual has potential for the position of _____ But need further development at the present level.			
B. RECOMMENDED – This individual possesses the knowledge, skills and personal characteristics required to be a			D. LACKS POTENTIAL – This individual lacks potential at present for position of _____			
				Approved – Commanding Officer		Date
Rater's Signature				Counselor's Signature		Date
Rater's Title		Date	Employee's Signature		Date	
GENERAL COMMENT BY RATER:						
Reviewed:		Date	Approved: Deputy Inspector - Operations			Date

PORT AUTHORITY TECHNICAL CENTER EVACUATION PLAN

General Evacuation Instructions

Immediately upon hearing a fire alarm or an announcement to evacuate the building, promptly leave your desk and follow the established evacuation routes. Do not stop to retrieve personal effects. Proceed immediately to the nearest exit staircase. Upon exiting the building, proceed to the designated Assembly Area.

ROOM 230 – PSD Police Academy (Effective on/about 08/01/08)

Room Warden	Lt. John Adorno	201-216-2647
Alternate Room Warden(s)	Sgt. Matthew Coyne	201-216-2638
Deputy Room Warden (searcher)	Sgt. Christopher Elliott	201-216-2644
Staff Safety Coordinator(s)		
Primary	Gayle Pizarro	201 239-3588
Alternate	Arlene Grampp	201 239-3632

ROOM 321- Police Academy - Firearms Training Unit (Firing Range)

Room Warden	PO Triantafillos Lekkas	201 239-3822
Alternate Room Warden	Sgt. Frank D'Alessandro	201 239-3813
Deputy Room Warden (searcher)	PO Lewis Maira	201 239-3817
Staff Safety Coordinator(s)		
Primary	Gayle Pizarro	201 239-3588
Alternate	Arlene Grampp	201 239-3632

General Assembly Area Instructions

Immediately upon hearing a fire alarm or an announcement to evacuate the building, promptly leave your desk and follow the established evacuation routes. Upon exiting the building, proceed to the designated Assembly Area. After arriving at the Assembly Area, report to the Staff Safety Coordinator for roll call.

Area 3

PSD Headquarters, TC & D, Communications/Security Off, PAPD ISB/CIB Unit, Police Academy Auditorium, PSD Labor Relations Unit, PAPD Central Police Desk, PSD Locker & Lavatory Facilities, PAPD Firing Range, PAPD Tactical Training Area (Gym), Police Academy, Lieutenants Benevolent Association.



PORT AUTHORITY POLICE ACADEMY TRAINING STANDARDS, RULES AND REGULATIONS

I, _____, HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THE PORT AUTHORITY POLICE ACADEMY'S TRAINING STANDARDS AND RULES AND REGULATIONS FOR POLICE RECRUITS, AND I HAVE READ AND FULLY UNDERSTAND THE CONTENTS THEREIN.

I ALSO CERTIFY THAT I WILL ADHERE TO THE TRAINING STANDARDS AND RULES AND REGULATIONS SET FORTH IN THIS DOCUMENT, AND UNDERSTAND THAT MY FAILURE TO DO SO COULD LEAD TO MY TERMINATION FROM PORT AUTHORITY EMPLOYMENT.

Signature

Date

Subscribed and sworn before me this _____ day of _____, _____.
Day Month Year

Notary Public

EXEMPTION (4)

DRAWINGS OF NON-PUBLIC AREAS