

# **Edison Police Department**

## **Bureau of Professional Standards**

### **Classification of Complaints and Dispositions**

The Edison Police Department fully complies with the NJ Attorney General's Internal Affairs Guidelines, and all Internal Affairs Complaints are classified and disposed of in accordance with that guideline.

The reporting year for all Internal Affairs data is January 1 through December 31. Events are filed by the date they are received by the Edison Police Department, not by the date of occurrence. While most complaints are usually filed within days of the incident giving rise to the complaint, this is not always the case. The Edison Police Department will accept any complaint, at any time, from any person.

Also, not all investigations will reach their logical conclusion by the end of the year in which they are filed, causing that investigation to be reported as pending. When the status has changed, the report will be updated to reflect the change.

#### **The Internal Affairs Complaint :**

The unit of measure for the annual report is the complaint. A complaint is defined as a single incident and a single Officer involved. If there are multiple Officers involved in a situation, each officer who had a complaint filed against him/her is counted separately for the purposes of this report.

Each complaint is assigned one of the below listed classifications. Their order, from top to bottom, reflects their relative seriousness. Should an Officer have more than one type of complaint filed arising from the same incident, the disposition in the complaint category which represents the most serious charge will be reported.

Disposition is defined as any complaint which includes a conclusion of fact of sustained criminal, sustained rule violation, exonerated, not sustained or unfounded; notwithstanding that further events, such as a court case in sustained criminal complaints, may be necessary to formalize closure.

Only one classification and one disposition will be reported for each Internal Affairs Complaint.

#### **Complaint Classifications:**

- 1.) **Excessive Force** – the use or threatened use of excessive force against a person;
- 2.) **Improper Arrest** – the restraint of a person's liberty was improper or unjust, or violated the person's civil rights;
- 3.) **Improper Entry** – the entry into a building or onto property was improper or that excessive force was used against property to gain entry;
- 4.) **Improper Search** – the search of a person or property was improper, unjust, violated established agency procedures, or violated the person's civil rights;
- 5.) **Other Criminal Violation** – the commission of an illegal act not specified elsewhere in the complaint classification;
- 6.) **Differential Treatment** – The taking, failure to take, or method of police action was predicated upon irrelevant factors such as race, appearance, age or sex;

7.) **Demeanor** – a department member’s bearing, gestures, language or other actions were inappropriate;

8.) **Domestic Violence** – a department member violated the provisions of N.J.S.A. 2C.:25-17 et seq. This classification is not limited to cases in which a criminal or disorderly persons complaint is filed or a temporary or final restraining order is issued;

9.) **Other Rule Violation** – conduct which violates agency rules, but is not specified above. This includes conduct such as insubordination, drunkenness on duty, sleeping on duty, neglect of duty, false statements or malingering, untidiness, tardiness, faulty driving, or failure to follow procedures.

### **Disposition Classifications:**

1.) **Sustained** – the investigation disclosed sufficient evidence to prove the allegation by a preponderance of the evidence;

2.) **Exonerated** – the alleged incident did occur, but the actions of the Officer were justified, legal and proper;

3.) **Not Sustained** – the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation;

4.) **Unfounded** – the alleged incident did not occur;

5.) **Administratively Closed** – in some cases, the complaint or investigation is closed prior to reaching a disposition. Examples include situations when a complainant voluntarily requests that a complaint be withdrawn, or the subject Officer terminates his/her employment prior the disposition of the complaint.

### **Internal Affairs Case Numbering / Indexing:**

All investigations handled by the Internal Affairs Unit are assigned a sequential number, commencing with the two digit year of receipt. Some investigations handled by the Internal Affairs Unit are not complaints against members of the department, and will not be included in the annual report.

Examples of investigations that are not complaints include Employee Assistance (EAP) and Domestic Violence Incidents where our Officer is the victim. These investigations are confidential personnel matters not subjected to the reporting requirements of the Attorney General’s Internal Affairs Guidelines. These matters will cause the appearance of ‘skipped’ numbers or ‘hidden’ cases in the reported incidents. We do not withhold the data on any Internal Affairs Complaint, all cases are properly documented.

Commencing in 2016, investigations handled by the Internal Affairs Unit that are **not** complaints will no longer be included in the Internal Affairs Case Index to avoid any misconception regarding missing cases. Investigations such as Employee Assistance will be assigned file numbers under their own individual indexing system.