

January 2021

Citizen's Working Group
A Report
Flemington Borough, NJ

Prepared by council members Jessica Hand and Jeremy Long

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Background

In July of 2020, an ad hoc group was created by Mayor Betsy Driver in response to overwhelming national attention to cases of police aggression and use of force. The George Floyd incident involving Officer Derek Chauvin of the Minneapolis, Minnesota Police Department was of particular note. Council Members Jessica Hand and Jeremy Long, joined by Flemington Borough Police Chief Jerry Rotella met with a group of Flemington Borough residents on a biweekly basis from July to December of 2020 in order to discuss the many questions related to the Borough's police practices. At times, Chief Rotella included members of the Borough Police Department to join these discussions. This group was not an advisory group and was not tasked with scrutinizing the police practices of Borough officers. Instead, the goal of this group was to strengthen the community connection to its Police Department and to discuss any and all questions typical citizens of a variety of backgrounds had about local policing during a discordant moment in American history. What follows is a report of these conversations.

Group Members

Lamar Brown

Flemington Borough Council member Jessica Hand

Malik Johnston Jr.

Pastor Ben Lee

Flemington Borough Council member Jeremy Long

Dave Norton

Flemington Police Department Chief Jerry Rotella

Nadia Quriashi

Amy Torres-Valverde

Guest Officers: Patrolman Corey Garrabrant, Detective Robert Godown, Sergeant Michael Mariaschin, Corporal Brian McNally, Patrolman Greg Zytko

What Does “Defund” Mean?

The singular concern at the start of our discussions was the idea behind “defunding” the police. This was a phrase that all members were familiar with, but the meaning was illusive. Defund meant different things to different people. On the surface, it could mean stripping the police department of all resources. Another notion is that by “defunding” a police department could mean dissolving or abolishing it altogether. Still another perspective was that “defunding” was more akin to spreading out resources that would traditionally go towards the police, and put those into other areas (specifically areas pertaining to mental health and psychology). This interpretation is seen as an idea for supporting the police and the community because police work has taken up various roles that might be better suited for other professionals or specialize. This requires some sort of “specialized” role for policing. Currently, the only specialized position of the department is that of detective.

There was agreement that the idea behind “defunding” needs work if it is to be understood by a general audience. The total abolition of police departments was seen as unrealistic. However, members did discuss how much work was required of officers and it may be beneficial to explore possible ways to alleviate this by redefining what police work is. This was seen as a larger, national issue that the Borough was currently not sure how to address.

That said, one theme regarding policing emerged and ran throughout many of the meetings: *the variability between what happens nationally and what happens at the state and local level.*

The assumption of the group was that reforms would be coming to policing in the next few years. The Chief proposed that people get upset because the changes “ don’t happen quickly enough.” As a result, there is a general frustration for people looking for change to happen after tragedies.

Use of Force

One of the first questions group members had for the Chief was if he had seen the video of George Floyd and what was his reaction to it. Chief Rotella did not view the video until the day before this meeting (he was given a list of questions several days prior to the meeting). Chief Rotella spoke of what was known about the arrest and what was unknown. Known was that Floyd was pinned down on the ground after being initially placed in the police car. Unknown to him was why Floyd was pulled back out of the car and pinned to the ground. Also unknown was whether or not Floyd had any drugs in his system that could have caused officers to use more force. However, the Chief was clear that [New Jersey’s use of force](#) policy is different from those found in other states. At the moment, there is no national use of force standard of practice. A member of the group asked the Chief and an officer why they thought it was so difficult to get change at the federal level. Though the process of change is complex, the answer is simply that there is a lack of political will. Coming up with a universal practice is difficult.

Again, the theme persists: law enforcement looks different in other states and other municipalities across the country.

The national discussion around use of force and the frequency of officers killing suspects is one discussion that, once again, illustrates the disconnect between what happens across the United States and what happens at the state level or in Flemington Borough. The Chief put forth a theory that the further west or closer to the center of the country you look, the more different the police practices look from what we see in the north east. For example, what happened in Minneapolis does not have a corresponding event in Flemington, NJ. At the state level, New Jersey's prosecutors have stated that though New Jersey does a good job in the area of use of force, "more work is needed." Improvement is always possible. Officers emphasized that there are different policing "styles" depending on where you are in the country.

Discussion took place regarding the many questions around when an officer is supposed to use force. And what actually constitutes a "use of force" in the first place? Every police officer in NJ must go through [Mandatory Agency Training \(MATs\)](#) which incorporates Firearms Requalification, Use of Force Policy, Vehicular Pursuit Policy, and Domestic Violence.

Members wondered if there will ever be a world where "we don't shoot to kill." It was shared by the officers that the goal is to "shoot to stop the threat." That is why firearm training focuses on center mass. Members also asked what factors decide if you are to use a gun. If a weapon is withdrawn, that would be one reason. It is a "game" where the question is how far a person with a weapon is going to take it. Officers use discretion and response. They wait to see what will happen. Tasers are not used, but less than lethal options (ex: shotgun with bean bag rounds) are available.

Body Cameras and Accountability

Chief Rotella informed the group that the Flemington Borough Police Department was the first in Hunterdon County to require its officers to wear body cameras. [Cameras](#) are turned on via a press of a button the moment an officer engages with a suspect. All body cam footage is preserved for 120 days from the date it was recorded and can be accessed when needed. To further emphasize the theme that ran throughout many of the meetings, the Chief shared with us that Los Angeles releases all body camera footage. New Jersey does not. Again, depending upon where a department is in the country, the style is different.

Members asked what happens if an officer does not turn a camera on and the answer was that the punishment is severe. Camera battery lasts a long time and the average cost per camera is \$500.

Car cameras are no longer used.

De-Escalation and Individuals with Mental Illnesses

De-escalation training is always a priority with the Flemington Borough Police Department. Each officer has a de-escalation certification. Each officer also has Crisis Intervention Training, which highlights different needs of holds. The training was expressed to be an intensive one week program. Officers learn about how to deal with subjects who have a variety of mental illnesses (ex: panic or bipolar disorder). There is a lot of focus in the training as to what mental “triggers” a person may have and what an officer can and should do given a situation where a person is clearly not calm or in control of their behavior. At the focus of any of these scenarios is the need to keep the individual safe. Safety is the concern above all else. The officer must do what they can in order to get this person to a safe place. It is preferable to “coax a person into a police car,” rather than use force. Officers are not social workers, so even though officers understand that this is part of the job, it is seen as a particular challenge.

Considerable discussion was had about mental health as a concern. How are officers responding to individuals with mental illnesses or special needs? From the Chief’s point of view, this was just part of the job. It comes with the work of policing. For example, the group was told that if there was a call that was being responded to and the Hunterdon Medical Behavior Center needed to send one of their employees to the address, the hospital worker would not enter the residence until an officer was already there. This relational situation is built into the work. However, members of the group did believe that there should be some sort of change to this arrangement. Is it fair for police officers to have to shoulder this additional burden? It is not an easy thing to resolve at the local level. These decisions would have to come from the state and federal attorney generals. Multiple discussions revealed that while local police departments have some control, there is a chain of command for changing the role of policing. It must follow from established laws and practices.

When a person has contact with an officer, it can be a situation where emotion and stress are experienced. It can be intimidating facing an officer. There are three instances where you would find yourself with an officer: When you are being accused, a witness to something, or a victim. In any of these situations, an officer must assess based upon some common sense. How would a reasonable person behave in each of these situations? The officer needs to understand the thought process of the person they are dealing with. Are you in need of help? Are you a victim? Did you do something wrong? The officer will be trying to figure out who you are as a person. Officers focus is on treating people how they want to be treated. Which means there is no need to use derogatory comments or possessing a bad attitude during any of these three situations.

Mental Health (Officers)

The department has what is known as a [resilience officer](#). As per [state mandated](#) practice, an officer is available to address stress and mental health issues with officers in the

department. The Chief expressed that he and his officers, “are human.” Officers feel stress and lean on one another to express these issues because the “days of bottling things up are over.”

A focus on trauma and suicide prevention is part of this program. Officers who may have children need to be aware of their thoughts and feelings when crimes against children are being investigated. Further, if an officer has a family history with domestic violence, those calls can be made more difficult due to that life experience. Again, officers are urged to talk things out. It is not viewed as a weakness to talk about such issues.

Police Dogs

Flemington Borough has two police canines, Jax and Kita.

Jax is a 6 year old male Dutch Shepherd/Belgian Malinois dog. K-9 Officer Jax was born in 2015.

He is trained in article searches, and tracking people. Due to cannabis heading towards legalization, Jax will no longer be doing drug searches. Jax has found a loaded handgun in a field at night, something that would have taken an officer a long time.

K-9 Officer Kita is a American Labrador, born in 2018. Kita is a narcotics and community policing dog. She is not trained in cannabis. Currently, no K9 academy is doing cannabis training. She can continue to do drug searches. She is also used to breach the gap with the public. Kita is brought to community events so residents can meet her and have a positive interaction with the police.

When the dogs are searching, they are searching for human odor. Human odor is on the items that humans have touched. When Jax found the handgun in the field, he found the handgun because it had human odor on it.

Both dogs live full time with Patrolman Greg Zytke and his family. They can be called out to anywhere in the county when their expertise is needed. In the past two years, they have been called to 500 events. Police dogs work for about 10 years on average, then they retire.

Firearms

Sergeant Michael Mariaschin spoke to the group about firearms both in regards to officer use and resident ownership. Some information that was presented by Sergeant Mariaschin:

- New Jersey is one of the more difficult states to get a firearm in. Most states you can just purchase a gun.
 - In order to understand the process of firearms acquisition, see documents included at the end of this section.

- Background checks include: mental or criminal records. Records of DUIs or any evidence of homicidal or suicidal thoughts.
- You must be 21 years old to get a handgun and 18 years old for a rifle or shotgun.
- Handguns require training and a permit. Background check required (takes 7 days).
- A system of “checks and balances” exists in the issuance of a firearm.
- Disqualifications: Crimes of a 1st, 2nd, 3rd, or 4th degree
- To carry a firearm, an individual must be judged as having a “justifiable need.” Situations considered as such: domestic violence victims, bankers that travel, retired and active police. Those serving in the military must go through this process as well.
- There has been a 78% increase in firearms sales since last spring. Mostly due to panic related to Covid-19 and various reactions to police shootings (protests in general or the destruction seen on television).
- 5-10% of guns owners use for sport
- There are no limits on the amount of firearms a person can purchase. Just on the [type of firearm](#).
- Average hand gun can cost \$500.

From the officer point of view, firearms training must be completed twice per year and it is “on you” to make sure this is done. Marksmanship with a handgun, rifle, shotgun, or machine gun is expected.

New Jersey Laws Pertaining to Firearms, firearm permits and seizure of weapons for safekeeping.

Firearms, Other Dangerous Weapons and Instruments of Crime – (N.J.S. 2C:39-1 et seq.)

Licensing and Other Provisions Relating to Firearms – Chapter 58. (N.J.S. 2C:58-1 et seq.).

Assault Firearms - A complete list of banned firearms can be found in N.J.S. 2C:39-1w. As well as N.J.A.C. 13:54-1.2.

On August 19, 1996, the New Jersey State Attorney General issued guidelines regarding the "Substantially Identical" provision in the State's assault firearms laws, N.J.S. 2C:39-1w(2). These guidelines define, in addition to the firearms specifically enumerated as assault firearms in N.J.S. 2C:39-1w(1), those firearms which are manufactured under any designation which are also classified as assault firearms.

Administrative Code - Firearms and Weapons (N.J.A.C. 13:54-1 et seq.).

NJ Domestic Violence Weapon Seizure – N.J.S. 2C:25-21d(1)

ERPO – Attorney General Law Enforcement Directive No.2019-2

FARS Application Procedures for Applicants:

Step 1: Visit this website. You MUST enter the site address as follows:

www.njportal.com/NJSP/fars

Step 2: The Flemington Police Departments ORI# is **NJ0100900**. You must reside in Flemington Borough to apply with that ORI number. If you are unsure if you live in the Borough, please contact (908-782-3434) and ask an officer or dispatcher.

(You WILL NOT be able to complete the FARS online application WITHOUT THE PROPER ORI#)

Step 3: Complete the online application. If you complete the application using a smartphone, mobile device, laptop, or a desktop computer, you will NEED TO BE ABLE TO PRINT THE IDENTIGO FINGERPRINT FORM. If you FAIL TO PRINT THE FORM, CONTACT THE FLEMINGTON POLICE DEPARTMENT AND REQUEST THEY PROVIDE YOU WITH THE IDENTIGO FORM. PROVIDE THE POLICE DEPARTMENT THE FARS CONTRIBUTOR CASE # that begins with NJ _____. The CONFIRMATION NUMBER WILL NOT BE USED BY IDENTIGO OR THE POLICE DEPARTMENT ON THE IDENTIGO FORM.

Step 4: When completing the application you will need the email addresses of 2 reputable references. Your references can be family members.

Step 5: You MUST appear at the Flemington Police Department to PAY for your INITIAL FID Card and/or Pistol Purchase Permits immediately upon applying. Your application WILL NOT be processed until you have PAID for the FID Card/Pistol Permits. Non-refundable payment is required to be made at the time of application as per NJAC13:54-1.4.

*If an **INITIAL** applicant applied for an FID card and forgot to apply for pistol purchase permits, the application must re-apply for the pistol permits **AFTER** their initial application is processed and approved.

*You will be receiving automated email updates throughout this new process.

*Once your application is complete, a station representative will contact you to retrieve your FID card and/or pistol purchase permit documents. **DO NOT CONTACT OR APPEAR AT THE FLEMINGTON POLICE DEPARTMENT UNTIL ADVISED TO DO SO.**

*Please advise your references that the FARS system will email them the reference questions to be answered. Your references can complete the questions using a smartphone, mobile device, laptop, or desktop computer. Please advise them to complete the questions immediately to progress your background investigation.

*The on-line application is applicant driven. Please ensure that you have entered the best phone numbers for yourself and references as well as the best email address for yourself and references.

NJSP Firearms Investigation Unit

P.O. Box 7068, West Trenton, New Jersey 08628-0068
609-882-2000 Extension 2290 (Phone)

<https://www.njsp.org/firearms/firearms-faqs.shtml>

How do you obtain a Firearms Purchaser Identification Card and/or a Permit to Purchase a Handgun?

You must apply through your local police department. If you do not have a local police department you must apply through the New Jersey State Police station that covers your municipality. Out of State residents may only apply for a Firearms Purchaser Identification Card through the New Jersey State Police (excluding toll roads, stations on the New Jersey Turnpike, Garden State Parkway, and Atlantic City Expressway).

To apply online utilizing the Firearms Applicant Registration System (FARS) please go to <https://www.njportal.com/NJSP/fars>. *You must contact the Police Department/Station that covers your residence to first obtain the proper ORI number before starting the application process. Improper submissions will not be refunded.

For any further information outlining specific requirements, contact your police department or nearest New Jersey State Police station.

How do you buy rifles and/or shotguns, including bb, pellet, and black powder rifles?

It is the responsibility of the seller of the rifles and/or shotguns, including bb, pellet, and black powder rifles to ascertain that the buyer has a valid Firearms Purchaser Identification Card plus one additional form of photo identification and completes a Certificate of Eligibility for each firearm. The information contained on the Firearms Purchaser Identification Card must match the identification of the transferor to be valid. A [Certificate of Eligibility](#) can be obtained at any licensed firearms dealer, or this web site. *All firearms transactions must be completed at a State licensed retail firearms dealer with the exemption of transactions between a) members of an immediate family b) law enforcement officers c) collectors in possession of a valid Collector of Curios and Relics License issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives. (See N.J.S.A. 2C:58-3 for further information)

How do you buy handguns, including bb, pellet, and black powder handguns?

A Permit to Purchase a Handgun must be completed for each handgun transferred in this state. It is the responsibility of the seller of the handgun to ascertain that the buyer has a valid Permit to Purchase a Handgun and one additional form of identification. The information on the Handgun Purchase Permit must match the identification of the transferor. (i.e, name address, DOB, sex, etc.) The permit must be completed by the seller and buyer. It is the responsibility of the seller to forward the copies to the appropriate authority. Instructions are printed on the permit. *All firearms transactions must be completed at a State licensed retail firearms dealer with the exemption of transactions between a) members of an immediate family b) law enforcement officers c) collectors in possession of a valid Collector of Curios and Relics License issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives. (See N.J.S.A. 2C:58-3 for further information)

Firearm FAQs

How do you transport firearms?

Firearms shall be carried unloaded and contained in a closed and fastened case, gunbox, securely tied package, or locked in the trunk of the automobile in which it is being transported. If the vehicle does not have a compartment separate from the passenger compartment, the firearm and or ammunition shall be in a locked container other than the vehicle's glove compartment or center console and kept farthest from the driver.

As a precaution, ammunition shall be transported in a separate container and locked in the trunk of the automobile in which it is being transported. Ammunition magazines may remain loaded during transportation and shall be carried separate from the firearm.

Can I transport my firearm on a motorcycle to the range?

Yes. However please be aware that it must be carried in the same manner described above (See above). A motorcycle with lockable bags is preferable however saddle bags or a back pack may be utilized with the unloaded firearm in a locked container.

How do I apply for a permit to carry a handgun?

If you reside in New Jersey, you must apply with municipal police department where reside. If the municipality where you reside is serviced by the New Jersey State Police, you must apply at the station which covers your municipality. Out of state residents must apply to the New Jersey State Police station nearest to their geographic location. All armored car employees, regardless of residential location, must apply with the New Jersey State Police, at the nearest New Jersey State Police station (excluding toll roads, stations on the New Jersey Turnpike, Garden State Parkway, and Atlantic City Expressway).

If I inherit a firearm what must I do?

Pursuant to N.J.S.A. 2C:58-3j, a firearm purchaser identification card and/or a handgun purchase permit shall not be required for the passing of a firearm upon the death of an owner thereof to his/her heir or legatee, whether the same by testamentary bequest or by the laws of intestacy. The firearm must be legal to possess in New Jersey and the person receiving the firearm shall not be prohibited by N.J.S.A. 2C:58-3c before receiving the firearm. If the heir or legatee does not qualify to acquire and possess the firearm, then ownership may be retained for a period not to exceed 180 days provided the firearm is transferred to the chief law enforcement officer of the municipality or the superintendent during such period.

I have moved to New Jersey from another state. May I continue to possess my firearm(s)?

Yes, firearms which have been legally acquired in another state and are legal to possess in New Jersey may be brought to New Jersey by the owner when residency is established. The owner may VOLUNTARILY register the firearm(s) by completing a Voluntary Form of Firearms Registration, found on this website, however the owner is not obligated to do so.

Can I purchase a firearm directly from someone in another State?

No. It is a violation of Federal law for a resident of one state to receive a firearm of any kind from the resident of another state. In order for this transaction to be legal, it must go through a federally licensed firearms dealer (FFL) in the State that the purchaser/receiver resides in. In New Jersey that means a firearm must be transported or shipped directly to the State licensed retail firearms dealer.

Firearm FAQs

I'm not a police officer, are hollow points legal for me to possess?

Yes. They are legal for purchase and possess in your home or on land owned by you. They are legal to possess and use at a gun range. They are also legal to possess while traveling to and from such places. Ammunition lacking a hollow cavity at the tip, such as those with a polymer filling, are not considered to be hollow point ammunition. An example of this can be seen with the Hornady Critical Defense / Critical Duty, Cor-Bon PowRball / Glaser Safety Slug and Nosler Inc. Defense ammunition.

What is a "Large capacity ammunition magazine"?

A box, drum, tube or other container which is capable of holding more than **10** rounds of ammunition to be fed continuously and directly therefrom into a semi-automatic firearm. The term shall not include an attached tubular device which is capable of holding only .22 caliber rimfire ammunition. Qualified retired law enforcement officers that have registered a handgun(s) with the New Jersey State Police as part of the Retired Police Officers permit to carry program may possess a magazine with a capacity of up to **15** rounds of ammunition for that specific registered handgun(s). Active duty law enforcement officers may possess magazines with a capacity of up to **17** rounds for personal firearms and over **17** rounds for any department issued firearm.

What type of firearms are considered assault weapons in New Jersey?

A complete list of banned firearms can be found in N.J.S. 2C:39-1.w as well as N.J.A.C. 13:54-1.2. If a firearm is not specifically listed by name then it may be considered to be substantially identical if it has the following qualities;

A semi-automatic rifle that has the ability to accept a detachable magazine and has at least two of the following:

- (1) A folding or telescoping stock;
- (2) A pistol grip that protrudes conspicuously beneath the action of the weapon;
- (3) A bayonet mount;
- (4) A flash suppressor or threaded barrel designed to accommodate a flash suppressor; and
- (5) A grenade launcher;

A semi-automatic pistol that has an ability to accept a detachable magazine and has at least two of the following:

- (1) An ammunition magazine that attaches to the pistol outside of the pistol grip;
- (2) A threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip, or silencer;
- (3) A shroud that is attached to, or partially or completely encircles the barrel and that permits the shooter to hold the firearm with the non-trigger hand without being burned;
- (4) Manufactured weight of 50 ounces or more when the pistol is unloaded; and/or
- (5) A semi-automatic version of an automatic firearm; and

A semi-automatic shotgun that has one of the following:

- (1) A folding or telescoping stock;
- (2) A pistol grip that protrudes conspicuously beneath the action of the weapon;
- (3) A fixed magazine capacity in excess of six rounds;

A semiautomatic rifle with a fixed magazine capacity exceeding 10 rounds.

Firearm FAQs

A firearm that meets the above criteria is considered to be “assault firearm” and may only be possessed by a licensed firearms dealer, active duty law enforcement officers and active duty military personnel.

“Assault firearm” shall not include a semi-automatic rifle which has an attached tubular device and which is capable of operating only with .22 caliber rimfire ammunition.

Can I ship a firearm to anyone?

No. You may only ship a firearm to a Federally Licensed Firearms dealer (FFL) for sale or repair. First verify that the license is valid by obtaining their FFL license number and checking <https://fflezcheck.atf.gov/fflezcheck/>. Or search FFL ez Check and enter the appropriate information.

You may ship a firearm to yourself if you are going to another state where you have another residence. This package must only be addressed to you, the firearm owner.

I have an old gun and want to get rid of it, what do I do?

You may contact your local police department for destruction. According to N.J.S. 2C:39-12 Voluntary Surrender, you may provide written notice including the proposed date and time of surrender to the superintendent or chief of police of municipality in which you reside prior to transporting same to that department. You may also contact a gun shop to inquire if they would like to purchase the firearm from you. They must provide you with a written receipt if they take the firearm.

I found a gun in the house/storage unit I purchased. What do I do? Can I keep it?

If you do not wish to keep the firearm follow the steps above. However if you decide to keep the firearm, provided it is New Jersey compliant (i.e. not an assault weapon), it may be kept, sold or destroyed according to N.J.S.A. 2A:18-72 Disposal of remaining personal property abandoned by tenant. To properly register a found pistol, the firearm should be turned over to a licensed gun dealer in New Jersey and you must obtain a Pistol Purchase Permit which will be utilized to register the pistol in the state.

Are airsofts firearms?

No. They are considered to be toys in New Jersey. The plastic pellet ammunition utilized for an airsoft contain a hollow cavity which do not conform to a solid projectile.

Can I travel through New Jersey with my firearms?

Yes. With no unreasonable deviations from your travels you may drive through New Jersey with any type firearm or ammunition. If New Jersey is the State of destination, then the firearms must be legal in this State.

Are Tasers legal? Can I carry one?

Yes, an October 20, 2017 Memorandum from the State of New Jersey Office of Attorney General reviewed the findings of a Supreme Court decision and a Consent Order signed into effect by the State of New Jersey states that Stun Guns in New Jersey are legal for sale and possession with only two restrictions. You must be 18 years of age or older to purchase or possess and you must not be a certain persons prohibited against purchasing or possessing one as per N.J.S.A. 2C:39-7(a).

Community Outreach

What's being done to better understand each other? Most members of the group were unaware of many programs the Flemington Police Department is already involved in. Due to Covid, many of these programs are not happening right now but will hopefully resume once it is safe.

These are the programs that the police participate in:

1. Coffee with a cop
2. Safe Summer: Officers to interact with mainly kids, rewards and coupons
3. Nights Out: What does it look like inside of a cop car
4. Shop with a Cop-Supported by local union-each town picks 2 children to take shopping
5. Nonprofits that the police work with
 - a. [Safe Harbor](#)
 - b. [Flemington Raritan Little League](#)
 - c. [Go Hunterdon](#)

Chief Rotella said he is interested in any ideas the public has about community outreach. In the end, it comes down to time and money.

Investigations

Most common crimes are domestic violence, assaults, sexual crimes and assaults, thefts, shoplifting, narcotics, and fraud. Most common calls are motor vehicle related, neighbor disputes, civil matters and custody issues. Service calls are when no crime occurs. Average response time to a call is 4-5 minutes. In one instance, an individual was passing through Flemington and was pulled over during a traffic stop. Weapons were discovered in the car. The federal government got involved because this individual was planning on [partaking in a shooting at Temple University](#).

Numerous handguns and rifles have been acquired since 2018 (21 weapons).

Detective Robert Godown is [Flemington Borough's Detective](#). He is responsible for criminal investigations. He is in charge of case review, follow up, and custodian of evidence. He works with the Animal Control Officer on Animal Cruelty cases. He is overseen by Lieutenant Soriano.

The Detective Bureau reports monthly to the UCR (Uniform Crime Report). This goes to the state then to the federal government.

Questions emerged regarding whether or not apartment complexes are considered private property. These areas are deemed as "quasi-public" so officers have the ability to walk around them when necessary. Laundry and garage areas are allowed to be patrolled. When it

comes to private property, officers must have a purpose to go into a yard. There must be some sort of suspicious activity. Officers can knock on a door, but they do not have the authority to enter the home. Backyards are seen as “common space.” Officers, if investigating private property, must have something “in plain view” to be counted as evidence for suspicion. The officer has to see something before investigating.

Youth

Detective Godown is also involved with LEAP ([Law Enforcement Adolescent Program](#)). This is an early intervention program to serve as a diversion from the legal system. When a juvenile is involved in a crime and there are concerns related to home life, this is a program that is utilized. The juvenile does have to meet certain criteria to be involved in the LEAP program. For adults, there is [Pretrial Intervention](#). Pretrial intervention is only available to adults one time. The general consensus of the group was that these programs can be very beneficial to keep people out of the legal system.

For individuals to be in the program, they must be guilty of a lesser crime (ex: trespassing, burglary, driving under age). The crime is seen as a “cry for help” at first and the philosophy is to set the youth on the right course from then on. The program is seen as a second chance for the youth. However, this is the only opportunity for the youth to have a clear criminal record. The question to the youth is “why are you doing this? What are you looking for?” The program includes 30 days of community service and has a high good success rate: 5 youths involved in the program since 2018. 4 out of 5 have completed the program.

Hiring Officers and Keeping it Local

The Flemington Borough Police Department usually hires in groups, about every 25 years. They do not hire based on age, sex, or race. Applicants do need to be under 35 years old. FBPD is looking for an applicant that is a critical thinker, physically fit, has common sense, patience and is here to help. Due to budget constraints, the FBPD hires officers that are PTC certified. This means the officer already went through the Police Training Academy. This costs \$35,000 and this is solely for training a new officer.

The hardest part is getting good applicants. Due to FBPD being a small non-specialized department, there is not much room to move up. The Chief said that he would “love to hire from within the town and community.”

We discussed the [Police Explorers Program](#), which is available for anyone interested in law enforcement between the ages of 15-20. The Explorers help the police with events while learning about how law enforcement works. According to the Explorers website, “The primary

goals of the program are to help young adults choose a career path within law enforcement and to challenge them to become responsible citizens of their communities and the nation.”

We discussed what would make sense for Flemington Borough and community policing. Would it be more beneficial to hire Police Explorers who are interested in a law enforcement career? This would cost the borough more than hiring an officer who is already PTC certified but may provide more long term benefits to the town. This could be a step in the direction of having police officers reflect what our community looks like.

Given the fact that roughly 25% of Flemington Borough residents are of Hispanic and Latino background, questions surfaced in a meeting about how we can hire an officer who is bilingual. The answer was simple: officers who speak Spanish can make more money elsewhere. This was seen as a significant challenge. However, since the desire to hire local candidates is strong in Flemington, a potential solution would be for younger residents who are bilingual to set their sites on local policing as a career. In this area, the Police Explorers program is a vital aspect of drafting officer candidates from Flemington who may speak Spanish and know the town and its Spanish speaking residents well.

On the subject of speaking Spanish, officers have available Google translate and Rosetta Stone as resources. A significant amount of time and money is required for RS software, so this can be a challenge. Officers identify learning another language as a “personal growth” goal. Google translate helps with other languages (ex: Arabic and Polish) and can be quickly utilized. There are resources available from the state.

Officer Training

Officers spend 26 weeks (6 months) in the Police Academy.

There are additional mandatory In-service training due to a particular assignment an officer has. Police officers can be trained in Blood Borne Pathogens, Hazardous Materials, Right to Know, Breathalyzer Recertification, 911 Dispatcher, K9 in-service training, EMT recertification, CPR and First Aid, Internal Affairs Policy and Procedures, Victim-Witness Services, Side Handled Baton Training and Miscellaneous Training.

There was curiosity in the group regarding quotas and ticketing. Specifically, was it even a thing? Chief Rotella stated that quotas were only done for statewide grants (ex: distracted driving), but there is no practice of writing bunches of tickets. The Chief did say that he expects something if an officer is out on patrol. There is always something to do in the Borough, but ticket pushing is not an actual practice. Officers should be “justifying their existence” and not just handing out tickets.

Like many professions, policing is seen as a career and not “just a job” in the Borough. The perspective is that it is a service oriented career.

Officers are ranked in a quasi-military fashion with rank and seniority focus (Chief, Lieutenant, Sergeant, Corporal, Patrolman). There is one chief, one lieutenant, one detective, four corporals, seven patrolmen, and one class III officer (based in the schools).

Racial Profiling

In the 1990s, New Jersey was forced to deal with what was seen as a rampant practice of racial profiling. Since that time, police departments have been held to different standards than their counterparts in other regions of the country. During a meeting, a member expressed concern about people of color being pulled over and asked if the numbers could be made available. Although this data is not required by the State Attorney General, it can be something that is compiled in the Borough if requested.

Officers are trained in anti-bias techniques and the prevailing notion of “treating people how they want to be treated” is seen as a best practice by avoiding having an attitude or using derogatory language.

Hate Crimes

Patrolman Corey Garrabrant came in to talk about hate and bias crimes. A hate crime is a hate crime if it fits two [definitions](#): it is a crime and the motivation is based on bias. A bias incident is any hostile expression with a purpose to intimidate based on bias. Calling someone a derogatory name is a bias incident while marking racist graffiti on someone’s property is a hate crime.

There are 21 registered hate groups in New Jersey, which are watched at a higher level than Flemington Borough. If Flemington Borough finds any hate group activity, they notify the NJ State Police. The NJ State Police has gang task forces and counter surveillance. Hate groups operate similar to organized crime syndicates. There is a leader, but people will turn quickly on this person if caught. Hell’s Angels has been a presence around the area, but most members of hate groups do not bring a lot of attention to themselves.

Symbols: Flags, Lines, and Support

We discussed the subject of the blue line flag (a black and white flag with a single blue line meant to represent the “thin blue line of justice”). The thin blue line’s original meaning is the line of police that keeps the peace. It is also seen as a way to honor officers who are killed in the line of duty.. This symbolism was different for each member of the group. The flag did not mean much to the Chief. Others in the group felt that it represented a negation of the Black Lives Matter movement.

During a robust discussion, one officer had expressed that the blue line flag could be seen as support for him and his colleagues. It could be the expression of support from a “parent who loves their son.” At this point, a member of the group expressed concern that the flag has been coupled with other flags (ex: the Confederate battle flag) for political purposes and so that

the message of support for the police is lost due to an association with hate groups or opposition to civil rights.

All members agreed that symbols can mean different things to different people, but in the end, for more understanding on this issue to be reached, more conversation has to happen. At the end of the conversation, there was agreement that the flag was not seen in this manner by officers and that it is worth considering other points of view.

One member of the group, an individual with military experience, likened the symbols to the yellow ribbons that people would tie around trees in order to show support for the soldiers in Iraq and Afghanistan. At the time of this person's deployment, important supplies were not being delivered to service members. Upon returning home, this individual expressed concern that the yellow ribbons were an empty gesture. If people truly supported the soldiers, they would make sure the supplies got to them. This was seen as an analogy for the police who may be under considerable stress and experiencing trauma daily. Resources and support in the area of mental health were seen as more helpful than flags. Backing our officers requires more effort.

Conclusion

The information in this report comes from various hour long discussions that took place over the course of roughly five months. The format of the discussions resembled that of a forum. In other words, members came to the meetings with a topic or topics to discuss. Questions were fielded by the Chief and, if in attendance, another officer. At no time were any members of the group made to feel "on the defense" or "attacked." This is what led to more open and clear conversation. Members of the group learned a lot and were at times comforted by the answers they received.

This group was seen as the beginning of what will potentially be a strong link between the police department and the residents of Flemington Borough. Plans moving forward are to have this group existing well beyond the publication of this report. If there is interest in joining in more conversations with the officers, residents are urged to reach out when the opportunity presents itself. All residents of Flemington Borough should feel safe and respected by our law enforcement officers. All of our officers should feel that they can do their jobs knowing that borough residents feel the same. Officers who participated in the discussions said that they enjoyed the talks and it was nice to share what they do with residents and town leaders.

If another municipality would like to create their own Citizens Working Group, here are some suggestions:

- Include a diverse group of people that represents the demographics of your municipality. Consider the racial and socioeconomic make up. Consider age when putting your group together. Our group had nine members ranging from 16 to 43.

- Include a member of the clergy. Look to houses of worship for an individual who will represent this perspective.
- Include your council members and have them serve as the facilitators of the group.
- Include the Chief of police and the officers who serve under him.
- Utilize a forum-type of discussion. Agree upon topics to discuss and prepare questions ahead of time. Be sure to send out the questions to the Chief of police and the members of your group ahead of the meeting.
- Do not set up your meetings where any person is placed in a position of defense. The success of this group was directly related to the openness of the forum and the focus on listening to what people had to say. There were no “winners” or “losers.” Just listen, ask questions, and be willing to change your mind.
- Above all else, respect each and every single member of the group. Have a goal to create a better relationship between the police and the residents of your community. Only through mutual respect will your discussions result in learning and understanding. Given the nature of the catalyst for this working group, discussions could have been testy and strained. This was not the case with the Flemington Borough’s Citizen’s Working Group.