

The Ambrose Group, LLC

"OUR FOLLOW UP WILL BE THE KEY TO YOUR SUCCESS"

***Essex County Correctional Facility
Remediation & Mentoring Project,
Assessment of the
Essex County Police Academy
& Leadership Training***



Final Report – 2023 & 2024

Anthony F. Ambrose

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Executive Summary

Remediation Project:

In 2023, The Ambrose Group was again retained by the County of Essex to monitor the remediation of the findings and recommendations presented in the initial assessment report. Presented herein are the findings, with the Critical Findings presented first, from the initial assessment, along with their accompanying recommendations for remediation. Following each finding and recommendation for remediation, a discussion is presented concerning what remediation was completed along with documentation of the remediation. The Ambrose Group monitored remediation through the furnishing of documentation from the ECDOC, as well as site visits, inspections, and interviews.

It is particularly noteworthy that the County of Essex and the Essex County Department of Corrections (ECDOC) initiated proactive remediation measures not only after the release of The Ambrose Report, but also while the assessment was still underway. Additionally, The Ambrose Group worked closely with the ECDOC executive and command staff on managerial situations on an almost daily basis addressing unfolding concerns and offering guidance and direction. In many instances, these situations were unrelated to the remediation process proper.

The Ambrose Group commends the ECDOC for having attained full compliance in their recent annual inspection conducted by the New Jersey Department of Corrections, which the ECDOC had not attained the prior two inspections. The Ambrose Group views this as a positive sign in the overall remediation of the ECCF.

ECDOC 30-Point Plan to Improve Safety and Combat Violence:

ECDOC Director Charles provided The Ambrose Group with a copy of his agency's *30-Point Plan to Improve Safety and Combat Violence* (hereinafter, the "Plan"). It should be noted that the 30-Point Plan involved fourteen points directly related to remediation referenced in the initial assessment, while sixteen pertained to points independently implemented by the ECDOC. The Executive Overview of the Plan states,

"In response to the escalating challenges of violence within the Essex County Correctional Facility we present an ambitious 30-point safety and security initiative aimed at transforming the jail environment into a safer and more secure facility for both inmates and staff members. This comprehensive plan leverages the latest technologies, best practices in correctional management, and a commitment to proactive measures to address and mitigate violence incidents effectively.

This plan includes immediate action items, short term initiatives, and long-term initiatives."

The Plan's points are listed herein; however, cross-reference is noted after each where additional remediation details may be found in this current Ambrose Group report.

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The Plan's "Immediate Action Items" included the following:

1. Implemented a dedicated Search Team; [REDACTED] officers and [REDACTED] Supervisors. (Refer to pages 47-48 for additional remediation details).
2. Expanded the Classification Bureau to include more staff and increased the hours of operation to include evenings and weekends. (Refer to page 41 for additional remediation details).
3. Created an integrated housing strategy and amended accordingly based on special needs, medical evaluations and security protocols.¹
4. Installed [REDACTED] additional cameras (total of [REDACTED]). (Refer to pages 49-50 for additional remediation details).²
5. Expanded the Internal Affairs Division to include a Chief (retired NJ State Police Lieutenant), Senior Investigators, and Investigators by 200%. (Refer to pages 1 and 14 for additional remediation details).
6. Re-established the Intelligence Unit under the Safety and Security Division. (Refer to page 53 for additional remediation details).
7. Established a policy to refer to Prosecutor all significant inmate-on-inmate crimes.³
8. Inmate-on-officer crimes will be prosecuted.⁴

¹ Documentation in the form of Daily Census by Classification & Housing Units Report dated 7/15/24 was received reflecting assignments by classifications (i.e., special needs; quarantine; mental health; special housing; general population; federal inmate; Union County inmates; voluntary protective custody; etc.).

² Documentation was received on 7/15/24 reflecting quotes for the purchase & installation of [REDACTED] new security cameras & related accessories. See page 49 for additional details.

³ Documentation was received on 7/15/24 in the form of an Executive Summary Report from the ECDOD Internal Affairs Bureau reflecting the referral of criminal charges in excess of 38 incidents involving inmates on inmates for 2023 and the first 2 quarters of 2024.

⁴ Documentation was received on 7/15/24 in the form of an Executive Summary Report from the ECDOD Internal Affairs Bureau reflecting the referral of criminal charges in excess of 22 incidents involving inmates on law enforcement personnel for 2023 and the first 2 quarters of 2024.

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9. Established a Department Compliance Unit. (Refer to page 12 for additional remediation details).
10. Revised staffing plan to include a [REDACTED] of [REDACTED].⁵

Short-term initiatives listed in the Plan, that were purportedly completed by September 2023, included the following:

1. Established a Mental Health step-down unit; the FIRST in any New Jersey County Correctional Facility. (Refer to page 43 for additional remediation details).
2. Expanded training for supervisors and command staff in Leadership and Supervision. (Refer to pages ix, 16, 70 and 84 for additional remediation details).
3. All custody staff are NJPTC Academy trained. (**NOTE:** Pursuant to the provisions of N.J.S. 52:17B-68,⁶ effective January 1, 2024, no county correctional police officer may accept or be given permanent employment until said person successfully completed a police training course at an approved school, with limited and restricted exceptions.)
4. All staff are trained in and issued NARCAN (Naloxone), with each carrying same on-person. (Refer to pages 34 and 53 for additional remediation details).
5. Increased inmate programs to include Serv Safe, Culinary Arts, OSHA Construction Program, Yoga, PATCH Program, and Art Therapy.⁷ (See Page 76 for additional remediation details).
6. English as a Second Language (ESL) partnership with Essex County College. (See Page 76 for additional remediation details).

⁵ ECDOC provided a copy of their POSTTRIX staffing schedule for supervisory personnel in June of 2024 indicative of the staffing of [REDACTED]

⁶ See N.J.S. 52:17B-68, et seq.

⁷ The ECDOC website listed ECCF inmate programs to include re-entry rehabilitation program; substance abuse program; medication-assisted treatment (MAT) program; religious services; recreation program; culinary classes; GED/HSE test preparation; adult basic education (ABE) program; job readiness program; & OSHA/construction program. See Programs | Department of Correction (essexdoc.com).

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7. Assumed leadership and responsibility of the Essex County Police Academy and the daily operations of that facility.^{8 9}

The Plan's long-term initiatives, purportedly completed by December 2023, included the following:

1. Requested and conducted a Department of Justice Security Assessment of the ECCF. (See page vii below).
2. Expanded and brought in-house the Residential Drug and Alcohol Program (formerly at Delaney Hall). (Pending documentation).
3. Upgraded Guard One Officer Tour System for Special Housing Unit (SHU). (Pending final implementation).¹⁰
4. 100% compliance rating with NJDOC Inspection; first time in two years.¹¹
5. Purchased and started implementation of PowerDMS to organize and manage crucial documents, train employees, and uphold proof of compliance. (Refer to page 38 for additional remediation details).
6. Continue to work with Honorable Judge Linares, Former Governor McGreevey, and the Essex County Civilian Task Force.¹²
7. Facility Upgrades included:
 8. A. \$10 Million new ECCF roof. (Pending documentation).¹³

⁸ Pursuant to enactment of Essex County Ordinance No. O-2019-00014, the Essex County Police Academy was created as a Division of the Essex County Department of Corrections. See [512270135.pdf \(ecode360.com\)](#).

⁹ ECDOC website Table of Organization reflects the Police Academy as a division under the ECDOC. See [Organizational Chart | Department of Correction \(essexdoc.com\)](#).

¹⁰ County of Essex Purchase Order # 445293 received for purchase & implementation of the Guard1 system & related accessories at ECCF.

¹¹ 2022 Inspection Report & Correspondence from NJDOC provided.

¹² The County of Essex most recently awarded McCarter & English, LLP a contract for 2023-2024 to provide the appointment of an Executive Director to the ECCF Civilian Task Force & Legal Administrative Support of the ECCF Civilian Task Force; Contract # 23-284.

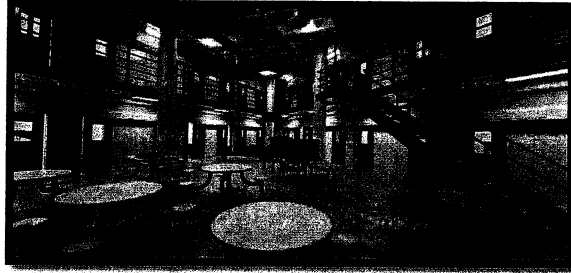
¹³ County of Essex Purchase Order # 418583 received reflective of contract approval for roof replacement at ECCF.

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B. Installed Sally Port security fencing in intake yard.¹⁴

C. Began Housing Units update and painting.¹⁵



D. Contact Visit Room refurbished.¹⁶



Lastly, the Plan's listed initiatives for the first and second quarters of 2024 included the following:

1. Upgrade Employee Duress System (PPDs). (Pending approval & funding). We were advised that the Personal Duress System that is in place at the ECCF is over 20 years old. The system provides staff and volunteers a "panic" button to alert master control if a person is in duress or needs emergency assistance. Accordingly, we recommend that the ECDOC research vendors and equipment to provide upgraded advanced technology, which will enhance the level of safety and security.

¹⁴ County of Essex Purchase Order # 414053 received reflective of contract approval for intake security fence improvements at ECCF.

¹⁵ Photographs furnished by ECDOC (post-renovations).

¹⁶ Photographs furnished by ECDOC (post-renovations).

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2. Begin New Jersey Attorney General's Police License certifications. (Refer to page 14 for additional remediation details).
3. Establish a [REDACTED] to help control contraband. (Refer to pages 51 and 67 for additional remediation details).
4. Implement an [REDACTED] process or equipment. (Refer to pages 53 and 60 for additional remediation details).
5. Increase with Essex County Judicial, Mental Health Court participants to include community facilities to provide mental health treatment to properly classified inmates. (Pending documentation).

Assessment by the National Institute of Corrections:

On January 10, 2024, TAG received a copy of the Operational Assessment prepared by the United States Department of Justice, National Institute of Corrections (NIC), for the ECDOC. The assessment report was dated January 9, 2024. The assessment was proactively requested by ECDOC Director Charles who desired another tool to improve operations at the ECCF. The assessment team conducted the on-site portion of the assessment between December 12-14, 2023.

TAG reviewed the NIC assessment and determined that while a significant portion of the assessment mirrored areas of concern from both our initial assessment and during the current mentoring and remediation project, several additional points were raised by the NIC assessment team. TAG concurs with these NIC findings and recommendations and strongly recommends that the ECDOC embrace the NIC recommendations as they have done with TAG's findings and recommendations. We commend the seeking of an ancillary assessment tool by the ECDOC of their own volition as an attempt to attain optimal conditions at the ECCF. A copy of the NIC assessment report is referenced in its entirety and is attached hereto as Addendum A.

Assessment of the Essex County Police Academy:

The Ambrose Group was also contracted by the County of Essex to assess the Essex County Police

Academy, which falls organizationally under the Essex County Department of Corrections and ECDOC Director Charles. During the course of the Academy review, an assessment was conducted through data collection and a comprehensive review of furnished materials; interviews with the ECPA Director, as well as other Academy members; on-site visits and observations; research; reviews of relevant literature, statutes, regulations and state and nationally accepted standards of law enforcement training organizations; an ongoing exchange of information with Academy and ECDOC leadership; and the extensive cumulative experience of The Ambrose Group. The Final Assessment of the Academy was submitted previously.

Leadership Lectures:

Accompanying the remediation project and the assessment of the Essex County Police Academy, The Ambrose Group was further contracted to provide leadership lectures to executive, command, and supervisory personnel of various county law enforcement agencies in the County of Essex, to include the ECDOC. The Ambrose Group started to provide specifically developed leadership lectures supported by PowerPoint presentations. To date, some supervisory and executive staff members were certified as having attended the interactive lectures, although the presentations are continuing due to the large number of personnel involved.

With specific reference to the ECDOC, The Ambrose Group has provided supervisory and leadership lectures to Sergeants, Lieutenants, Captains, and Deputy Director on various dates and locations in 2023 and 2024. (Documented).

Independent Monitoring Component:

The Ambrose Group strongly encourages the designation and implementation of an independent monitoring component at the ECCF. The rationale behind this recommendation is to have a disinterested third party monitor pre-determined categories ranging from intrinsic and extrinsic policies, procedures, and protocols to state and federal regulations.

This monitoring element embraces the "Trust by Verify" philosophy. Independent monitoring promotes professionalism, integrity, and performance and further helps to ensure safety

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protocols are adhered to mitigate injuries to ECDOC personnel and inmates alike. It further serves as a force multiplier for compliance which facilitates delivery of essential services. These are all integral components of any successful agency.

Sensitive Information:

The information in this report should be considered sensitive information and for official use only. Inappropriate dissemination may negatively impact security at the ECCF.

The Ambrose Group LLC

Overview of the Essex County Correctional Facility

An overview of the Essex County Correctional Facility (ECCF) is detailed in both the Essex County Department of Corrections webpage and The Ambrose Report.

Government and Leadership Attributes:

The ECCF is governed by the Office of the County Executive, Joseph N. DiVincenzo, Jr. The Executive Staff of the ECDOC have strong leadership and command experience in the corrections realm. The ECCF is currently under the direction of ECDOC Director Ronald Charles and Assistant Director Regina Marrow. The Chief of Internal Affairs is Thomas McEnroe. The Warden's position is currently vacant.

Ronald L. Charles was named the new Director of the Essex County Department of Corrections, following the resignation of Director Ortiz in 2022. Director Charles' duties will include oversight of the ECCF and the Essex County Police Academy. Director Charles was most recently the Director of the Union County, New Jersey Department of Corrections, having served in that capacity since 2015. Prior to his tenure in Union County, Director Charles served as the former Associate Director of the ECCF, as well as Director at Delaney Hall. Director Charles started his 38-year career in corrections in 1986 at the ECCF, rising through the ranks. He earned a Bachelor

of Arts degree in Criminal Justice from Caldwell College and is a Certified Public Manager and additionally holds a County Administrator certification. He is also a graduate of the Harvard Kennedy School of Government Program. Lastly, Director Charles is an American Corrections Association (ACA) auditor and a recognized subject matter expert on corrections.

Since being appointed as Director, The Ambrose Group (TAG) personnel met with Director Charles pursuant to best practices in corrections and to review a draft of this assessment and final report. Director Charles advised TAG personnel that pursuant to his appointment as ECDOD Director, he had initiated and/or implemented several actions based upon his own assessment of the ECCF. These included:

- Already initiated his own staffing analysis for the ECCF and was reviewing the feasibility of an additional staffing assessment by an independent correctional consulting group.
- The hiring of a new Chief of Internal Affairs and the assignment of additional sworn and civilian personnel in support of remediation of the areas of concern noted in the Internal Affairs function.
- Commencing with a security audit of the ECCF to address concerns of contraband interdiction and control, as well as the installation of newly purchased security cameras to address “blind spots” in the facility.
- Assignment of a Superior Officer as the ECDOD Police Licensing Officer.

Facility Considerations:

The ECCF is the largest county correctional institution in the State of New Jersey. As such, it handles a considerable number of out-of-county, state, and federal inmates who are awaiting sentencing in their criminal matters. As the ECCF has a rated capacity of 2,440 inmates, it is important to note that this inmate population is greater than 94 municipalities in New Jersey.¹⁷ The ECCF is comprised of four 4-story buildings numbered 2, 3, 4, and 5. Building 2 has 5 pods on

¹⁷ See *New Jersey Cities by Population* (newjersey-demographics.com).

the lower level and 7 pods on the upper level; Buildings 3 and 4 both have 4 pods on both levels; and Building 5, a multi-purpose building with inmate housing and functional areas, has 7 pods.

Additionally, unlike most of the citizenry comprising the populations of those 94 municipalities, the inmates at the ECCF are confined individuals, some with addiction and psychological problems, some documented violent, and all involved in the criminal justice process. Accordingly, the ECDOC professionals that administer the inmate population must do so humanely, respectfully, and professionally. The ECDOC listed a sworn Correctional Police Officer staffing total of 749, which includes all ranks.¹⁸

Geography:

The ECCF is a modern 980,000 square foot facility located on four acres of land at 354 Doremus Avenue, in an industrialized section of the Ironbound in Newark, New Jersey. This area also juxtaposes a major transportation corridor comprising U.S. Highway 1, the Pulaski Skyway, and the New Jersey Turnpike.

Population and Demographics:¹⁹

ECCF has a rated capacity of 2,440 inmates. On average, the average inmate population for the 12-month period was 2,232 inmates. Male and female inmate ages range from 18 to 85 years of age. ECCF does not house juveniles. The ratio of male to female inmates is approximately 15 to 1. Most inmates have a length of stay between one and fifteen days and historically, all stays have been less than a year. Because of its size and capacity, ECCF houses hundreds of inmates from Union County, as well as the state and federal correctional systems.

¹⁸ Current as of August 8, 2023. ECDOC Staffing Report.

¹⁹ Data provided in this section was obtained from the 2021 annual inspection of the Essex County Correctional Facility conducted in 2022 by the New Jersey Department of Corrections.

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I. INTERNAL AFFAIRS

▪ OVERVIEW

During the initial assessment of the ECCF, the Internal Affairs function (IA) was reviewed. As a result of this review, many findings were noted, with several being deemed Critical Findings. As the review of the IA function was the most voluminous, this section is presented first. TAG personnel included a significant number of recommendations for remediation for both the Critical Findings and other miscellaneous findings. Pursuant to our involvement with remediation of the Critical Findings and mentoring at the ECCF, ECDOC staff was requested to provide responses to the Critical Findings and to further provide documentation supporting the remediation. In the interest of clarity, the Critical Findings from the initial assessment concerning the Internal Affairs function is listed individually along with documentation of remediation, if applicable.

▪ REORGANIZATION OF THE INTERNAL AFFAIRS UNIT

In response to the findings in the initial assessment concerning the Internal Affairs function, Thomas McEnroe was hired as the new Chief of Internal Affairs in April of 2023. Chief McEnroe is a retired Detective Lieutenant from the New Jersey State Police, who has had an extensive career and experience in criminal investigations. Most recently, Chief McEnroe was employed as a Detective with the Morris County Prosecutor's Office, having served in the Professional Standards Unit.

▪ REMEDIATION OF CRITICAL FINDINGS

- ***I.A. CRITICAL FINDING: The current Internal Affairs SOP was found to be lacking in specificity and not comporting with the current Attorney General Internal Affairs Policy and Procedures (IAPP) and needs revision.***

TAG personnel recommended that the ECDOC adopt the provisions of the Attorney General's Internal Affairs Policy and Procedures (IAPP; November 2022 Version) in its entirety for the ECDOC's Internal Affairs SOP, to fully comport with the provisions of Attorney General Law

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Enforcement Directive 2022-14 (Transparency In Internal Affairs Investigations). The ECDOC revised its Internal Affairs SOP, fully adopting the provisions of the most current IAPP, as well as the Attorney General's Early Warning System Directive 2018-3. The revised SOP was issued signed by the Director on September 1, 2023, with a scheduled review date of June 2024. The revised SOP was reviewed and appeared compatible with the IAPP.

Although county correctional facilities in New Jersey are not required at this time to abide by the provisions of the IAPP¹, the ECDOC has agreed to abide by the IAPP provisions as a matter of best practices for the organization. The ECDOC has drafted and implemented a revised Internal Affairs SOP that codifies the IAPP in its entirety into the ECDOC Internal Affairs program. Accordingly, however, the ECDOC must comport with its various points to truly comport in word and deed, of which the ECDOC has provided adequate documentation supporting such comportment.

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- ***I.A. CRITICAL FINDING: The current Internal Affairs Function at the ECCF is a bifurcated and, at times, complex process with the investigation and tracking of major and minor disciplinary matters being done independently of each unit involved.***

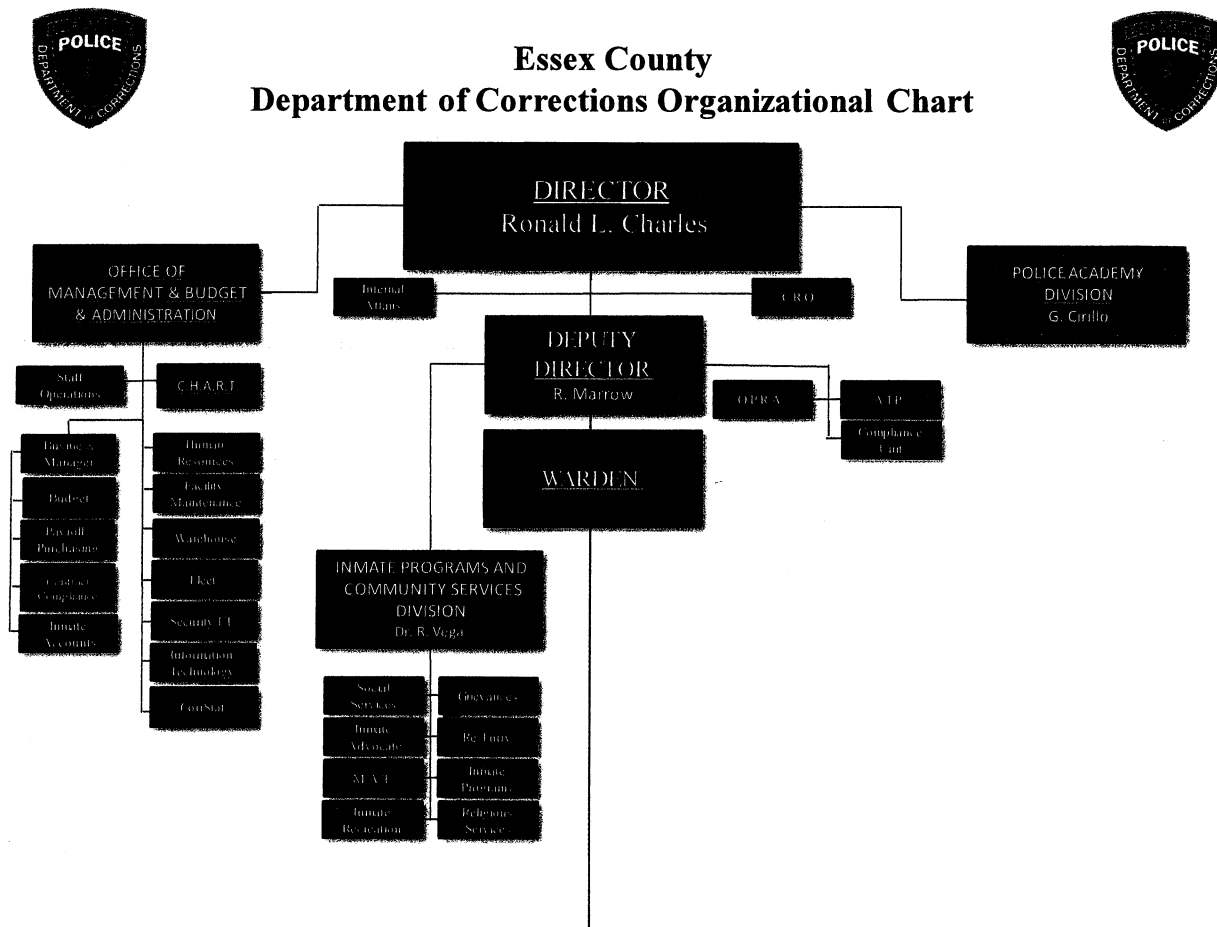
After this finding, the ECDOC reorganized the structure of the IA function and Disciplinary Unit (DU). Documentation was received that the ECDOC initially created a Professional Standards Division, under the supervision of the ECDOC Assistant Director. The following units were organizationally placed under the Professional Standards Division:

- Disciplinary Unit.
- Compliance Unit.
- Early Warning Function.
- Analytics.
- O.P.R.A.
- Recruitment

¹ See Attorney General Law Enforcement Directive 2022-14 (Transparency in Internal Affairs Investigations / Internal Affairs Policy & Procedures - IAPP). [ag-Directive-2022-14 Transparency-in-Internal-Affairs-Investigations.pdf \(nj.gov\)](https://www.nj.gov/agencies/08-01/press/2022/2022-14-Transparency-in-Internal-Affairs-Investigations.pdf).

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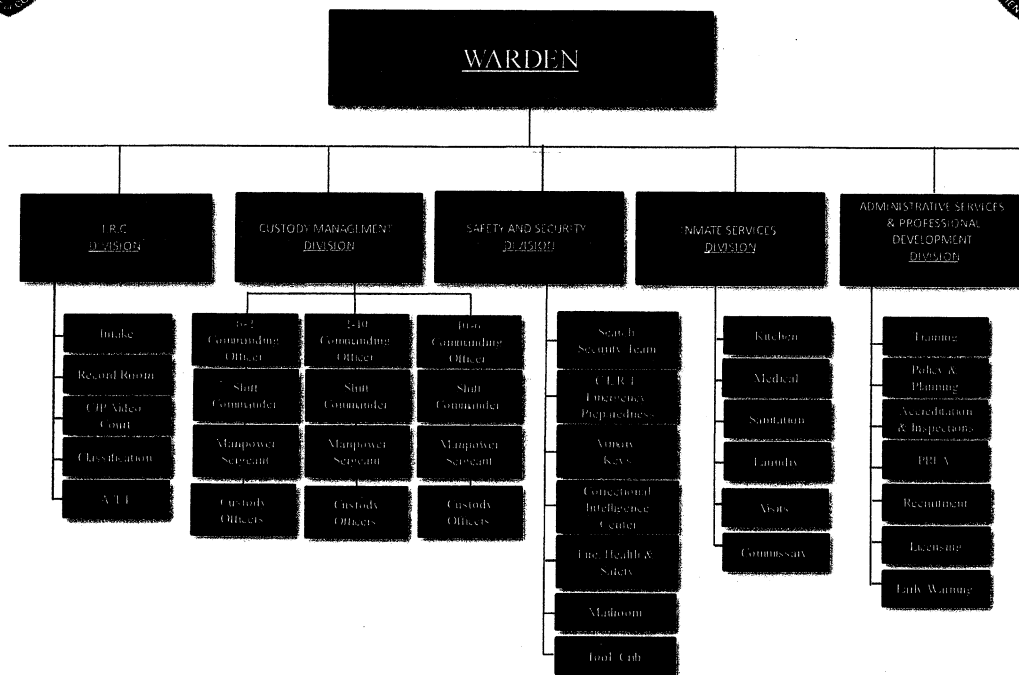
Subsequently, the ECDOC reorganized and organizationally moved the recruitment and early warning functions under the Administrative Services & Professional Development Division. The ECDOC provided the current Table of Organization as indicated below.



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Additionally, the Internal Affairs Unit reports directly to the ECDOC Director, or Assistant Director in his absence.

With specific reference to the Internal Affairs Unit and the Disciplinary Unit functioning independently of each other, it was recommended that the Internal Affairs Unit Chief regularly meet with the supervisor of the Disciplinary Unit and review the minor discipline matters handled by the Disciplinary Unit for possible adoption of matters initially referred as minor discipline but may fall within major discipline/criminal parameters. Documentation was received from the IAU Chief in the form of email correspondence reflective of a recent prior meeting with the Disciplinary Unit supervisor in which pending minor discipline matters were reviewed. The correspondence further directed that future scheduled reviews would be routinely occurring.

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Concerning the independent tracking of each unit's cases, that area of concern was remediated with the implementation of the IAPro computerized system (detailed in the following Critical Finding). Each unit was therefore capable of effectively logging and tracking their respective cases, with the Internal Affairs Unit supervisors capable of accessing and reviewing the Disciplinary Unit's cases. TAG further recommends the civilianization of the Disciplinary Unit.

- ***I.A. CRITICAL FINDING: The IAB and the DU both do not effectively track their respective cases as no computerized case management system is utilized, even though they currently possess a computerized case management program.²***

During the initial assessment, it was determined that the Internal Affairs Unit possessed the IAPro computerized system but it was not operational. It was recommended that the system be resurrected and implemented, with all applicable personnel receiving instruction and training. ECDOC executive staff members related that a new IAPro computerized system had been purchased for implementation. Documentation was received in the form of County of Essex Purchase Order No. 427726 concerning the purchase of the system, as well as training for the respective ECDOC personnel. TAG further provided input as to configuration suggestions to provide optimal capabilities of the system. On December 27, 2023, documentation was received that IAPro was purchased and in the process of being installed and implemented at the ECCF. Training of personnel was also pending.

As a matter of reference, the IAPro system can provide law enforcement agencies with early professional standards identification and intervention (i.e., Early Warning System); case management; file linking; statistical and detail reporting; "dashboard" monitoring; and automated correspondence and forms.³

Additional documentation was received delineating the scheduled meeting with ECDOC Internal

² *Ibid*, see Section 9.2.

³ As indicated on the IAPro website. [IAPro - IAPro](#).

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Affairs Unit personnel for the configuration of the system. Ultimately, it was determined that Internal Affairs Unit personnel had begun to receive the IAPro configuration and operational training and instruction.

- ***I.A. CRITICAL FINDING: The IAB and the DU do not utilize an effective Early Warning System, and whose current protocols do not fully comport with Attorney General Directives.^{4 5} Additionally, the ECDOC does not currently have an Early Warning System SOP in effect, which is also mandated.***

Pursuant to the upgrading and implementation of the IAPro computerized system (delineated above), the ECDOC will have an Early Warning System that is both effective and compliant with the mandated Attorney General Law Enforcement Directive No. 2018-3 (Early Warning System) and Law Enforcement Directive No. 2022-14 (Transparency in Internal Affairs Investigations & Internal Affairs Policy & Procedures). The system would allow both the Internal Affairs Unit and the Disciplinary Unit to alert to and monitor pre-configured performance indicators thresholds to potentially prevent future misconduct. The system was in the process of being fully implemented at the time of this report.


Similarly, TAG reviewed the newly drafted Early Warning System SOP and found it appeared to comport with Attorney General Law Enforcement Directives 2018-3 and 2022-14.

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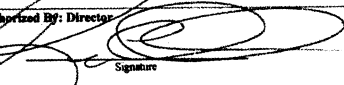
⁴ Ibid, see Section 3.4.

⁵ See Attorney General Law Enforcement Directive 2018-3, *Statewide Mandatory Early Warning Systems*. [ag-directive-2018-3.pdf \(nj.gov\)](#).

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	Essex County Corrections	Codification PS.ADM.852
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Policy Title: Early Warning System		Enabling Authority: NJSA 52:17B-97 to -117
Effective Date: May 31, 2023	Revised: N/A	Authority: AG Directive 2018-3
Promulgating Office: Bureau of Planning and Strategic Initiatives		Professional Association Standard Cited:
Applicability: All Sworn Staff		Review Schedule: May 2024
Any Order, Policy, Directive or Memoranda in conflict with this Order is hereby superseded.		

Reviewed and Issued By:  Deputy Director	6/2023 Date
Authorized By: Director  Director	6/2023 Date

- I.A. CRITICAL FINDING: The ECDOC does not promote transparency with the public by not posting on their website page Internal Affairs Summary Reports or Reports of Major Discipline, both of which are mandated by Attorney General Directive.⁶ Similarly, the ECDOC does not post a copy of an Internal Affairs complaint form on their website page that can be completed and submitted electronically, also mandated by Attorney General Directive.⁷***

In August of 2023, the ECDOC launched their own website (www.essexdoc.com), which we were able to access remotely. The website was found to be comprehensive, with numerous user-friendly options that were found to be useful regardless of if the user was an inmate or his/her relative or representative (i.e., inmate lookup, visitation policy, mail/packages, inmate programs, etc.); an individual seeking a career with the ECDOC (i.e., details & application); or just an

⁶ See Attorney General Law Enforcement Directive 2020-7, Internal Affairs Policy and Procedures (IAPP), Section 5.1.4. [Ag-Directive-2020-7 Internal Affairs Policy and Procedures and Appendix.pdf \(nj.gov\)](#).

⁷ Ibid, see Section 9.11.

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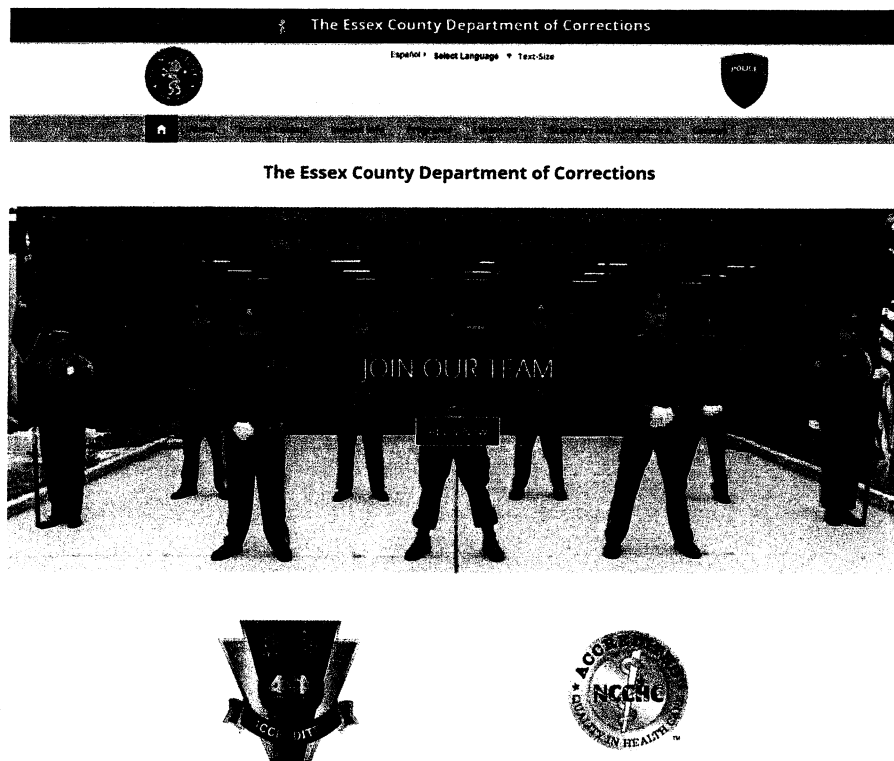
individual seeking information. The website was found to have the ability to translate to a variety of languages reflective of the inmate population. Additionally, the website posted several sources of information regarding the ECDOC and the ECCF that promoted transparency of the agency and facility, to include:

- Essex County Civilian Task Force information;
- The Ambrose Report;
- Prison Rape Elimination Act (PREA) at ECCF;
- Link to Attorney General's Use of Force dashboard; and
- I.A. Major Discipline Report, Early Warning System & Drug Testing SOPs.

At the time of this report, the ECDOC was still pending the placement of the I.A. Summary Report on the website. With reference to the ECDOC Drug Testing SOP, the ECDOC had previously posted a copy of their drug testing policy (PS.ADM.017) on their website, however it was last revised in June of 2019. This was problematic as the Attorney General Law Enforcement Drug Testing Policy had been revised in February of 2023. Accordingly, at our recommendation, the ECDOC revised their SOP, forwarding copy on August 8, 2023, which appears to comport with the most recent revisions to the Attorney General Policy.

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- ***I.A. CRITICAL FINDING: The IAB does not facilitate proper and timely notification to the Essex County Prosecutor's Office for all matters of suspected criminality and for any allegations against the ECDOC Executive Staff.⁸***

The IAU Chief provided documentation in the form of copies of current emails reflecting the timely notification of matters of suspected criminality to the Essex County Prosecutor's Office/Professional Standards Bureau.

-
- ***I.A. CRITICAL FINDING: Proper advisement of a Miranda warning was not always provided to a target of the investigation prior to the interview.***

⁸ Ibid, see Section 5.1.8.

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Pursuant to this finding, we recommended that IA personnel receive formalized legal instruction and training in the advisement of Miranda warnings prior to interviews being conducted. Documentation was received that IAU personnel attending the New Jersey State Police Basic Internal Affairs Course (June 2023) had received instruction on proper rights advisements (i.e., Miranda, Garrity, and Weingarten) during the training. It is noteworthy that the revised ECDOC Internal Affairs SOP specifically stated that the agency accepts and adopts the Attorney General Internal Affairs Policy & Procedures (IAPP) in its entirety, which included definitive provisions for the proper advisement of various interview warnings (i.e., Miranda, Garrity, etc.).⁹ To emphasize the importance of proper interview warnings, the revised ECDOC Internal Affairs SOP further included the following language,

*"Prior to commencement of any interviews being conducted by Internal Affairs members pertaining to criminal and/or administrative matters, applicable legal rights advisement and waiver (Miranda) or administrative advisement form must be properly executed as appropriate."*¹⁰

■ REMEDIATION OF MISCELLANEOUS FINDINGS & RECOMMENDATIONS

During the initial assessment of the ECCF, various miscellaneous recommendations were offered to the ECDOC to assist in remediation of areas of concern. With specific reference to the Internal Affairs function, the following recommendations were made. Immediately following each recommendation, the status of the recommendation will be detailed.

■ IA RECOMMENDATION:

- So as to mitigate the findings presented throughout this assessment of the Internal Affairs Function, with particular emphasis on a unified initial and ongoing review of investigations, it was recommended that the investigation of internal affairs complaints be thoroughly revamped through a restructuring of the Internal Affairs Bureau, the

⁹ See Attorney General Law Enforcement Directive No. 2022-14, Transparency in Internal Affairs Investigations with Internal Affairs Policy & Procedures (IAPP), November 2022 Version, § 8.2, et seq.

¹⁰ ECDOC SOP PS.ADM.017 (Internal Affairs), revised 9/1/23, § VI. (Pre-Interview Advisement).

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Disciplinary Unit (DU), the Criminal Intelligence Bureau, the Compliance Unit, and the Training Unit. With reference to the suggested restructuring, the following recommendations are offered:

- The IAB will be renamed as the Professional Standards Bureau (PSB), which will be commanded by a Senior Manager.
- The PSB shall be comprised of four (4) units, the Internal Affairs Unit (IAU); the Criminal Intelligence Unit (CIU); the Disciplinary Unit (DU); and the newly created Compliance Unit (CU). Each unit to be supervised by at least a first-line supervisor.
- All disciplinary complaints (major and minor, to include attendance-related matters) involving sworn and civilian employees will be investigated by the IAU;
- All major disciplinary complaints involving inmates will be investigated by the CIU and would also administer inmate/gang intelligence;
- The Disciplinary Unit (DU) shall continue to administer all disciplinary matters referred to it by the PSB.
- The Compliance Unit's prime responsibility is to ensure that the ECDOC rules and regulations, policies and procedures are properly implemented and being properly followed at an operational level, to include the review of official reports and uniform compliance. This should be accomplished by unit personnel conducting actual on-site inspections and reviewing security cameras. The Compliance Unit should also evaluate ECDOC material resources (i.e., vehicles, communication and I.T. equipment, office machinery, and supplies) and their utilization.
- The Training Unit shall continue with its current responsibilities but be organizationally placed under the PSB command.

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IA RECOMMENDATION STATUS:

As delineated above in a Critical Finding, a complete reorganization of the internal affairs/disciplinary functions was undertaken. The Internal Affairs Unit reports directly to the ECDOC Director, while the Disciplinary Unit was placed under a newly created Professional Standards Division. The Internal Affairs Unit would continue to investigate all actual or alleged acts of criminality and any incidents potentially involving major discipline. The Disciplinary Unit would also continue to handle all minor disciplinary matters in the ECCF. An enhanced and formalized coordination between the two units was realized, optimizing each unit's performance and the execution of their assigned responsibilities.

The former Criminal Intelligence Unit was disbanded and a newly created Safety & Security Unit was created, which assumed its former responsibilities. This unit is discussed in greater detail elsewhere in this report.

As delineated previously, the Internal Affairs Unit reports directly to the ECDOC Director while the Search and Security Unit was organizationally placed under the Safety and Security Division within the ECDOC. The Training Unit remained under the Training and Policy Development Division. All unit references were documented in the above referenced Table of Organization.

A Compliance Unit was created to help ensure compliance with ECDOC rules, regulations, policies, and procedures. The Compliance Unit reports directly to the Assistant ECDOC Director. Documentation was received from the Assistant ECDOC Director that the unit was staffed by [REDACTED] CPO and [REDACTED] civilian personnel and headed by a civilian at the time. A copy of the Compliance Unit SOP was provided.¹¹ A review of the SOP found it in need of revision in that the issue of contraband needs to be more aggressively addressed, with specific emphasis on the monitoring and review of historical and

		Essex County Corrections	Civilian PS-ADM.053 Page 1 of 1
Policy Title: Compliance Unit			
Effective Date: July 26, 2023		Revised:	
Formulating Office: Training/Policy Development Division		Existing Authority: MAC 106A, 107 et. seq.	
Applicability: All Personnel		Professional Association Standard Cited:	
Review Schedule: October 2024			
See Order, Policy, Directive or Memorandum to conflict with this Order is hereby superseded.			
Reviewed & Signed By: [Signature]		7/2023	
Reviewed By: [Signature]		7/2023	

¹¹ See ECDOC SOP PS.ADM.053 – Compliance Unit.

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real-time security camera footage. Additionally, the Compliance Unit personnel should be increased to maintain round-the-clock inspection capabilities. Formatted reports should also be developed for use and tracking by unit personnel and forwarded to the ECDOC Director through the Assistant Director and the findings reviewed and remediated by the ECDOC executive staff according to the respective priority of the finding. The actions of the Compliance Unit are **critical** to effectively addressing the noted areas of concern concerning contraband and facility security. Recommended responsibilities include the aggressive review of facility security camera footage, both in real time and historically to ensure compliance and identify areas of concern. It should be noted that TAG had only received two (2) monthly reports from the Compliance Unit during its entire tenure at the ECCF since December 2022.

It should be noted that as late as July of 2024, the ECDOC was actively reviewing the pilot program's duties, responsibilities, and personnel/staffing of the Compliance Unit.

IA RECOMMENDATION:

- It was recommended that the PSB Manager review all complaints received for proper assignment and disposition of discipline.

IA RECOMMENDATION STATUS:

During direct meeting with the Internal Affairs Unit Chief, TAG personnel observed the Chief conduct reviews of complaints received and procedures involved in the assignment of the complaints for investigation and disposition. The Internal Affairs Chief will also be able to utilize the IAPro capabilities to properly track and review cases. Additionally, documentation in the form of correspondence was received and reviewed reflective of coordination and review of minor discipline matters. Lastly, documentation was received in the form of correspondence that the Chief of Internal Affairs routinely advises ECDOC executive staff of relevant matters.

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IA RECOMMENDATION:

- It was recommended that the PSB be appropriately staffed with both sworn and civilian support staff to properly execute all the assigned duties and responsibilities without PSB supervisory staff routinely assuming an investigative caseload.

IA RECOMMENDATION STATUS:

Additionally, in May of 2023, based upon TAG recommendations, the number of Internal Affairs Investigators increased from [REDACTED].¹² Those [REDACTED] new Investigators were slated for attendance at the Police Training Commission (PTC) mandated Basic Course for Investigators presented by the Attorney General's Office. An additional recommendation for [REDACTED] civilian clerical employee (an evidence custodian) was also pending.

Documentation was received reflecting the appropriate assignment of [REDACTED] sworn investigative personnel and [REDACTED] civilian support staff member.¹³ Additionally, documentation was received reflecting the assignment of [REDACTED] CPOs as Internal Affairs Investigators, effective August 5, 2023.¹⁴

TAG recognized that an ongoing concern with proper staffing of the Internal Affairs Unit is the result of all sworn personnel assigned to the Unit must be properly trained pursuant to New Jersey Police Training Commission regulations. This includes successful completion of the Basic Course for Investigators presented by the Division of Criminal Justice, an approximate 20-week program. The ECDOC has had difficulty with its newly assigned sworn personnel successfully completing the mandated program. It is strongly recommended that the ECDOC continue to strive to maintain proper staffing levels for the Internal Affairs Unit. It is further recommended that the ECDOC establish a Police Licensing function to ensure full compliance with the PTC Police Licensing provisions, as well as any applicable Attorney General directives and/or guidelines

¹² In July of 2023, one IAU Investigator was suspended pending termination, thus bring the staffing level to [REDACTED] Investigators.

¹³ Documentation in the form of ECDOC Personnel Reassignment Memorandum No. 23-29 dated 6/29/23 was received for the assignment of the civilian personnel.

¹⁴ Documentation in the form of ECDOC Personnel Reassignment Memorandum No. 23-35 dated 8/3/23 was received for the assignment of the Investigators.

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pertaining to Police Licensing. The ECDOC provided Administrative Directive No. 24-05 directing that Captain Joyce was designated as the Police Licensing Coordinator for the ECDOC.

IA RECOMMENDATION:

- It was recommended that civilian support staff assigned to the PSB implement the already available IA Pro¹⁵ (or comparable) computerized Internal Affairs case management database. This would allow for a more standardized and streamlined complaint intake process; help to eliminate most of the hand-written documents; assist with the tracking of the complaint/investigation; and allow for chain of command review.
- It was recommended that the IA Pro (or comparable) computerized database be fully utilized to properly index and track all complaint cases, to include the tracking of disciplinary matters for time limitations for charging, status dates, or length of investigations, as well as alerting if they are exceeding pre-established time thresholds.

IA RECOMMENDATION STATUS:

Remediation of this recommendation was discussed and referenced in various critical and miscellaneous findings above involving IAPro.

IA RECOMMENDATION:

- It was recommended that all ECCF supervisory personnel receive enhanced training for disciplinary matters, processes, and procedures. It was further recommended that any

¹⁵ TAG does not endorse or recommend any particular brand (i.e., IA Pro), however this brand is mentioned as the IAB already possesses it. As a point of reference, a review of the IA Pro website described the product as "full-featured software that's been designed from the ground-up to meet the needs of internal affairs and professional standards units." It also has an optional early intervention application. <https://www.iapro.com/pages/the-iapro-solution>.

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ECDOC personnel involved in the dispensing of discipline receive the proper and appropriate training.

IA RECOMMENDATION STATUS:

Documentation was received that all ECCF supervisory personnel received training for disciplinary matters, processes, and procedures. Additionally, documentation was received that indicated that Internal Affairs Chief McEnroe commenced the training of new supervisory personnel and recruits concerning an overview of the Internal Affairs function. A PowerPoint presentation utilized by Chief McEnroe was also furnished to us for this assessment.

IA RECOMMENDATION:

- It was recommended that all personnel assigned to the Disciplinary Unit receive basic Internal Affairs training to help ensure compliance with internal affairs-related procedures and disciplinary actions.

IA RECOMMENDATION STATUS:

Documentation was received in the form of correspondence and training certificates that indicated that Lieutenant Michael Radice, Supervisor of the Disciplinary Unit, successfully attended the 5-day Internal Affairs Training Course presented by the New Jersey State Police in June of 2023.

IA RECOMMENDATION:

- It was recommended that the supervisory personnel of the Disciplinary Unit receive supervisory/leadership training.

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IA RECOMMENDATION STATUS: Documentation was provided that all supervisors received supervisory training by rank.

IA RECOMMENDATION:

- It was recommended that the current Internal Affairs SOP (PS.ADM.009) be completely revised to comport with all provisions of Attorney General Law Enforcement Directives 2020-7 (Internal Affairs Policy and Procedures/IAPP) and 2018-3 (Statewide Mandatory Early Warning Systems), as applicable to correctional situations. It was further recommended that sample forms be included in the revised SOP as appendices. It was further recommended that the SOP also be revised to reflect any of the recommendations implemented. Although the ECDOC is not required to comply with the provisions of the Attorney General Internal Affairs Policy and Procedures, after consultation with County of Essex County Counsel's Office, it was recommended that the ECDOC comply with all Attorney General Directives and Guidelines, to include the Internal Affairs Policy and Procedures, as they are applicable to a correctional setting and Correctional Police Officers. Although TAG personnel were advised that the ECDOC Internal Affairs function voluntarily follows the Attorney General's Internal Affairs Policy and Procedures, numerous instances were documented during this assessment indicative of the contrary.

IA RECOMMENDATION STATUS:

This recommendation was previously favorably addressed. The ECDOC Internal Affairs SOP was completely revised and appeared to comport with the Attorney General's IAPP and Early Warning System Directives, with revised versions furnished.

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IA RECOMMENDATION:

- It was recommended that supervisory shift personnel (i.e., Sergeants or Lieutenants) serve sworn employees on their respective shifts with the mandated Notices of Initial Discipline, as opposed to the Disciplinary Unit Supervisor. It was further recommended that coordination be made with the County Counsel's Office to research alternative means to properly serve personnel who are out on leave (i.e., contemporaneous certified and regular mail).

IA RECOMMENDATION STATUS:

Documentation was received in the form of intra-agency memoranda from the Disciplinary Unit Supervisor to an ECDOC Captain directing that specified personnel needed to be served with Minor Discipline documents indicative that the protocol had been revised in that ECDOC Captains may now serve target personnel provided they were not involved in the referenced incident or the hearing officer. Service of personnel out on leave is still pending.

IA RECOMMENDATION:

- To attempt to mitigate the significant increase in dismissals of minor disciplinary complaints due to failure to serve proper notice within the prescribed time period, it was recommended that a directive be issued to all supervisory staff directing the timely referral of disciplinary complaints.

IA RECOMMENDATION STATUS:

Documentation in the form of official correspondence (Administrative Directive No. 23-40) to ECDOC personnel from the ECDOC Director was received dated August 25, 2023 that directed all disciplinary complaints be forwarded in a timely manner to facilitate the proper investigation and disposition of complaints.

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IA RECOMMENDATION:

- It was recommended that all disciplinary complaints (minor and major discipline), be properly logged and indexed, with dispositions properly documented for each complaint regardless of findings, preferably through the existing IA Pro (or comparable) computerized database.

IA RECOMMENDATION STATUS:

This area of concern was favorably addressed with the implementation of the IAPro computerized system referenced previously.

IA RECOMMENDATION:

- It was recommended that the PSB be directed to prepare and submit periodic written status reports of pending investigations to the ECDOC Director.

IA RECOMMENDATION STATUS:

The Chief of Internal Affairs provided documentation in the form of correspondence from him to the ECDOC executive staff of relevant Internal Affairs matters.

IA RECOMMENDATION:

- It was recommended that the Essex County Prosecutor's Office, Professional Standards Bureau, be immediately advised of all complaints involving potential criminality of sworn personnel and any complaints involving the ECDOC Director, Warden, or other senior

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management staff members.¹⁶

IA RECOMMENDATION STATUS:

TAG personnel directly advised the Internal Affairs Chief during in-person meetings that any complaints involving potential criminality of sworn personnel and any complaints involving the ECDOC Director, Deputy Director, or other senior management staff members must be immediately referred to the Essex County Prosecutor's Office, Professional Standards Bureau (ECPO/PSB). As indicated previously in the Critical Finding, documentation had been provided reflective of current and timely notifications of potential criminal matters to the ECPO/PSB.

IA RECOMMENDATION:

- It was recommended that, as much as possible, all IA records be electronically/digitally processed and stored. Electronic processing and storage of documents is recommended by the State of New Jersey Division of Revenue and Enterprise Services.¹⁷

IA RECOMMENDATION STATUS: With the implementation of the IAPro system, IA records will be maintained in the system.

IA RECOMMENDATION:


- It was recommended that the ECDOC draft and implement an SOP for the investigation of domestic violence complaints involving employees and that it comports with Attorney General Law Enforcement Directives and Guidelines.¹⁸

¹⁶ See Attorney General Internal Affairs Policy and Procedures (IAPP), Section 5.1.8, which states that complaints against a law enforcement executive, or a member of the executive's senior management team, may originate from a member of the public or from an employee of the agency. All such complaints shall be documented and referred to the County Prosecutor for review. If the subject of the Internal Affairs investigation is the Police Chief, Police Director, Sheriff or Head of Internal Affairs, the County Prosecutor or the Attorney General's Office shall handle the investigation.


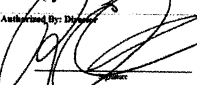
¹⁷ See Chapter 6, *Division of Revenue and Enterprise Services - New Jersey Records Manual (state.nj.us)*.

¹⁸ See Attorney General Domestic Violence Law Enforcement Directives 2000-3 and 2000-4 ([9dv34.pdf \(nj.gov\)](#)) and Domestic Violence Guideline ([dv law enforcement manual.pdf \(nj.gov\)](#)).

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	Essex County	Codification PSADM.652
	Corrections	Page: 1 of 14

Policy Title: Domestic Violence		Enabling Authority: N.J.A.C. 10A-31-1 et. seq.
Effective Date: August 2, 2023	Revised:	Authority: N.J.A.C. 10A-31-1 et. seq.
Promulgating Office: Training/Policy Development Division		Professional Association Standard Cited:
Applicability: All Sworn Staff		Review Schedule: August 2024
Any Order, Policy, Directive or Memoranda in conflict with this Order is hereby superseded.		

Reviewed and Issued By: Deputy Director	
	8/2/23 Date
Authorized By: Director	
	8/2/23 Date

IA RECOMMENDATION STATUS:

The ECDOC provided a copy of the newly drafted and implemented Domestic Violence SOP, which appeared to comport with the applicable Attorney General Directives and Guidelines.

IA RECOMMENDATION:

- It was recommended that the PSB prepare and forward quarterly reports to the Essex County Prosecutor's Office concerning internal investigations complaint statistical data.¹⁹

IA RECOMMENDATION STATUS:

Documentation was received in the form of copies of quarterly reports submitted to the ECPO/PSB.

¹⁹ Mandated by A.G. Directive 2020-7, IAPP, Section 9.10.1. [ag-Directive-2020-7 Internal Affairs Policy and Procedures and Appendix.pdf \(nj.gov\)](#)

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IA RECOMMENDATION:

- It was recommended that original interview recordings be handled as evidence and the original be placed into evidence and duplicate recordings maintained in the investigative case file.

IA RECOMMENDATION STATUS:

The Chief of Internal Affairs provided a copy of a directive he issued dated May 19, 2023, which directed Internal Affairs Unit personnel to place all original recorded Internal Affairs interview CDs/DVDs into evidence through established procedures and only copies may be maintained in the investigative file.

IA RECOMMENDATION:

- It was recommended that the Internal Affairs Summary Reports submitted to the Essex County Prosecutor's Office and the Attorney General's Office include not only accurate case totals for the major discipline cases handled, but also include those of minor discipline.²⁰

IA RECOMMENDATION STATUS:

The 2023 4th Quarter Internal Affairs Summary Report was received and it listed statistical data for both major and minor disciplines for that period. Additionally, a review of the CorrStat Report dated December 27, 2023 revealed that there was a total of (1345) CPO minor discipline matters listed for 2023 YTD and (22) CPO major discipline matters listed for the same period. TAG had recommended that the CorrStat Report be revised to include a comparative analysis of YTD totals from the prior year for CPO minor and major discipline totals. A review of the CorrStat Report

²⁰ *Ibid*, Section 9.11.

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dated April 3, 2024 reflected weekly, monthly, and YTD comparative analyses of minor and major discipline statistics.

IA RECOMMENDATION:

- It was recommended that a clearly delineated policy needs to be enacted concerning the intake, investigation, and feedback of public inquiries.

IA RECOMMENDATION STATUS:


In June of 2023, the ECDOC created the Community Relations Office, under the auspices of the Director's Office. The newly assigned Community Relations Officer²¹ is responsible for the receipt, tracking, and handling of complaints involving inmates that do not rise to the level of an internal affairs investigation. An SOP for the unit's operation was drafted and provided for this report. A computerized database was developed to input and track pending complaints, along with protocols to ensure the complaints are addressed in a timely manner.²² The Community Relations Officer would directly interact with both the complainant and the involved inmate in addressing the complaint. Final dispositions would be submitted to the Director's Office. Documentation in the form of a printout of the unit's complaint database was provided, with dispositions listed.

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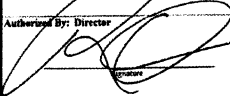
²¹ ECDOC Personnel Reassignment Memorandum No. 23-25 was received reflecting the assignment of a CPO as Community Relations Officer effective June 12, 2023.

²² Documentation of the of the database was received on July 7, 2023.

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	Essex County Corrections	Codification PS-CUS.006.39 Page 1 of 4
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Policy Title: Community Relations Office		Enabling Authority: MAC 104(3)(1) et. seq.
Effective Date: August 1, 2023	Revised:	Authority: TACAC 104(3)(1) et. seq. 2016 PENNS. Act 1: Public Safety & Control
Promulgating Office: Training/Policy Development Division		Professional Association Standard Cited:
Applicability: All Sworn Staff		Review Schedule: August 2024
Any Order, Policy, Directive or Memoranda in conflict with this Order is hereby superseded.		

Reviewed & Issued By: Deputy Director  Date: 8/21/23	Authorizing By: Director  Date: 8/22/23
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IA RECOMMENDATION:

- It was recommended that there be monthly liaison meetings with the PSB Supervisor and representatives of the ECDOC Inmate Advocacy Office, to facilitate communication with the inmate population.²³

IA RECOMMENDATION STATUS:

Directive No. 24-07 from the ECDOC Director was forwarded facilitating the monthly meetings to review any inmate concerns and complaints. Minutes from a meeting of the ECDOC Director and Deputy Director, Internal Affairs Chief, and representatives from the Medical, Inmate Advocate, Social Services sections dated April 24, 2024 were received.

IA RECOMMENDATION:

- It was recommended that all sworn personnel assigned to PSB receive basic investigative training, specifically the DCJ Basic Course for Investigators (BCI) or

²³ Ibid. See Section 3.6.1.

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comparable. It was further recommended that the ECDOC identify and implement minimum training standards for all sworn PSB personnel.

IA RECOMMENDATION STATUS:

During this remediation phase, documentation had been received reflecting that all personnel assigned to both the Internal Affairs Unit and the Disciplinary Unit had received formal Internal Affairs training. It is noteworthy that all [REDACTED] sworn personnel currently assigned to the Internal Affairs Unit in June of 2023 (as well as the supervisor of the Disciplinary Unit) attended a formalized 5-day Basic Internal Affairs Course offered by the New Jersey State Police although most of the assigned personnel already had attended the course basic course (training documentation received).

Additionally, documentation had been received in the form of training certificates that various sworn personnel assigned to the Internal Affairs Unit had successfully completed the DCJ Basic Course for Investigators, or comparable, as permissible by Police Training Commission (PTC) Standards. Lastly, the Chief of Internal Affairs had provided training certificates for various sworn members of the Internal Affairs Unit indicating successful completion of various ancillary training courses that would positively impact the execution of their official duties. These training courses included the following:

- Criminal Intelligence Systems Operating Policies (28 CFR Part 23)
- Title 2C Update
- Search & Seizure
- Right to Counsel
- Interview & Interrogation
- Courtroom Testimony
- Homicide Investigations
- Property & Evidence Room Technicians
- Investigative Report Writing
- Sex Crimes & Child Abuse
- Pre-Employment Background Investigation
- Use of Force
- Investigating Sexual Abuse in a Confinement Setting
- Mental Health & Special Needs

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- Domestic Violence for Law Enforcement
- DNA Buccal Swab
- Drug Addiction
- Heroin-Opiate Investigation & Prosecution
- Prison Rape Elimination Act (PREA)

Additionally, during in-person meetings, the Chief of Internal Affairs was advised to be proactive in providing the ancillary training referenced above for any new personnel assigned to the Internal Affairs Unit, to which he agreed. It should be noted that since that advisement, the Chief of Internal Affairs facilitated the following training for members of the Internal Affairs Unit, as well as the Disciplinary Unit for specified trainings:

- Criminal Intelligence Systems Operating Policies - 28 CFR Part 23; U.S. Department of Justice, Bureau of Justice Assistance; May 2023 (training certificates received); includes Disciplinary Unit personnel.
- Overview of Internal Affairs; The Ambrose Group; May 2023.
- Basic Internal Investigation School (5-day); New Jersey State Police; June 2023 (training certificates received); includes Disciplinary Unit personnel.
- Property & Evidence Custodian Training; Passaic County Police Academy; June 2023 (training certificates received).
- Naloxone/NARCAN Use & Deployment In-Service Training; July 2023; includes Disciplinary Unit personnel.
- Effective Death Investigations.
- Major Crimes Investigations.
- Interview & Interrogation.

With reference to minimum training standards for sworn personnel assigned to IAU, TAG personnel forwarded a suggested minimum training matrix for its sworn and civilian personnel to the Chief of IAU. Documentation in the form of a memorandum, dated July 17, 2023, from the IAU Chief to the ECDOC Director recommending minimum training standards for IAU personnel was received.

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INTERNAL AFFAIRS UNIT MINIMUM TRAINING STANDARDS MATRIX

TITLE/POSITION	TRAINING	REQUIRED? Y / N	RECOMMENDED WITHIN SPECIFIED TIME PERIOD	REMARKS
All Sworn Personnel	Basic Course for Investigators / DCJ	YES	Next Scheduled Class	DCJ Academy
All Sworn Personnel	Basic Internal Affairs Course	YES	Within 6 Months of Assignment	Required for Sworn Personnel of Disciplinary Unit
All Sworn Personnel	Internal Affairs In-Service Training	YES	When Available	Required for Sworn Personnel of Disciplinary Unit
Sworn & Civilian Personnel	IAPRO Operator Training	NO	Within 3 Months of Assignment	
All Sworn Personnel	Major Crimes Investigations	NO	Within 6 Months of Assignment	
All Sworn Personnel	Illicit Drug Training	NO	Within 6 Months of Assignment	
Sworn & Civilian Personnel	NARCAN/Naloxone Training	NO	Within 1 Month of Assignment	
Sworn & Civilian Personnel	Intelligence Systems Training	YES	Within 3 Months of Assignment	28 CFR Part 23, Also Required for Search & Security Unit Personnel
All Sworn Personnel	Interview & Interrogation	NO	Within 6 Months of Assignment	

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TITLE/POSITION	TRAINING	REQUIRED? Y / N	RECOMMENDED WITHIN SPECIFIED TIME PERIOD	REMARKS
All Sworn Personnel	Sexual Assaults in Custody Settings	NO	Within 6 Months of Assignment	
All Sworn Personnel	Report Writing & Courtroom Testimony	NO	Within 6 Months of Assignment	
All Sworn Personnel	Conducting Background Investigations	NO	Within 6 Months of Assignment	
Designated Evidence Custodians	Property & Evidence Custodian Training	NO	Within 3 Months of Assignment	

IA RECOMMENDATION:

- To address a significant increase in missed training matters by ECCF personnel resulting in disciplinary complaints, it was recommended that there be more stringent oversight of personnel ordered to training by the employee's first-line supervision to facilitate attendance.

IA RECOMMENDATION STATUS:

Documentation was received in the form of Administrative Directive No. 23-39 from ECDOC Director Charles dated August 25, 2023 to all ECDOC sworn personnel concerning training delinquency may result in disciplinary action.

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IA RECOMMENDATION:

- It was recommended that the logbooks and computer programs for both units reflect a proper Internal Affairs investigative finding (i.e., Exonerated, Sustained, Not Sustained, or Unfounded), along with a final disposition (i.e., punishment received, dismissed, etc.).

IA RECOMMENDATION STATUS:

This area of concern was favorably addressed above with the implementation of the IAPro computerized system.

IA RECOMMENDATION:

- It was recommended that the PSB Evidence Form be revised to include additional signature blocks to properly document any changes in the chain of custody of evidence.

IA RECOMMENDATION STATUS:

At the time of this report, remediation of this point was pending implementation.

IA RECOMMENDATION:

- It was recommended that the PSB conduct all background investigations for all new employees, to include intergovernmental transfers of sworn officers.

IA RECOMMENDATION STATUS:

We were advised by the ECDOC executive staff that they will continue with the current protocol of background investigations. Accordingly, TAG had recommended that any personnel conducting candidate background investigations receive candidate background investigation training, which is pending.

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IA RECOMMENDATION:

- It was recommended that written initial and final notifications are made to the target employee and complaint in accordance with Attorney General Internal Affairs Policy & Procedures (IAPP).

IA RECOMMENDATION STATUS:

The Chief of Internal Affairs issued a directive to his personnel directing that they follow proper Internal Affairs procedures, specifically including the proper notifications to target employees, both initially and final (documentation of proper notifications received).

IA RECOMMENDATION:

- It was recommended that a superior officer or member of the executive staff review and approve all reports and findings from the PSB Supervisor.

IA RECOMMENDATION STATUS:

Interviews were conducted with the Executive Staff of the ECDOC and it was learned that the Chief of Internal Affairs does not prepare investigative reports, rather notifications and documentation involving internal; affairs matters were conducted through email. Investigative reports and documents were prepared and submitted by subordinate personnel in the unit, to include the newly assigned supervisor, and submitted through the chain of command to the Chief of Investigations who approved the documents.

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IA RECOMMENDATION:

- It was recommended that a directive be issued from the executive staff to all sworn supervisory personnel directing that all incidents involving possible criminality be referred to PSB without delay.

IA RECOMMENDATION STATUS:

Documentation was received in the form of Administrative Directive No. 23-40 from ECDOC Director Charles dated August 25, 2023, to all ECDOC personnel directing the timely referral of all incidents involving possible criminality to the Internal Affairs Unit.

IA RECOMMENDATION:

- It was recommended that the ECDOC develop a standardized IA complaint intake form, regardless of minor or major discipline.

IA RECOMMENDATION STATUS:

Through the implementation of the IA Pro computerized system, a standardized complaint intake format will be facilitated by the system.

IA RECOMMENDATION:

- It was recommended that each disciplinary file should have an index with a list of all the forms / documents included in the file. Placed on the top of the case file, this would help ensure the thoroughness of the investigation and completeness of the case file.

IA RECOMMENDATION STATUS:

Documentation had been received from the Chief of Internal Affairs indicating several

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investigative matrices were presently being utilized by the unit personnel resulting in a more organized case file and helping to ensure all necessary investigative tasks were addressed.

IA RECOMMENDATION:

- It was recommended that the ECDOC develop an investigative task matrix that would assist in ensuring all proper investigative tasks necessary for a complete and thorough investigation have been completed. This would also serve to assist supervisors in the review of investigations.

IA RECOMMENDATION STATUS:

TAG personnel provided the Chief of Internal Affairs with a sample non-discoverable investigative matrix specifically for an active Internal Affairs/Professional Standards Unit to implement into the unit's investigations. Documentation was received in the form of several investigative matrices (offense-specific) that were being utilized by the unit personnel.

IA RECOMMENDATION: It was recommended that the PSB Supervisor conduct at least monthly scheduled staff meetings with personnel to facilitate the supervision of work, the assignment of responsibility, and the coordination of efforts.²⁴

IA RECOMMENDATION STATUS:

The Chief of Internal Affairs advised TAG personnel that he conducts daily operational briefings each morning with IAU personnel. The daily briefing also includes a case file review for each

²⁴ See American Correctional Association (ACA), *Adult Correctional Institutions, Accreditation Standard 5-ACI-1A-15 (5th Edition)*.

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personnel's pending investigations, details of which were observed on the whiteboard in the Chief's office. Interviews with IAU investigative staff members verified the daily informal interactions.

IA RECOMMENDATION:

- To execute the responsibilities of the PSB more effectively, it was recommended that the on-call investigator work the evening shift on his/her assigned on-call weekday, thereby extending the hours of actual physical coverage from 12 hours per weekday to 19 hours.

In conversations with the Chief of Internal Affairs, he indicated that the staffing hours for the Internal Affairs Unit would be expanded to cover weekdays from [REDACTED]. It should be noted that ECCF inmates are restricted to their respective cells daily between [REDACTED] and [REDACTED]. TAG personnel were advised that the coverage expansion could not be accomplished until the newly assigned personnel have received their proper BCI investigative and Internal Affairs training and were properly experienced to work alone.

■ REMEDIATION OF CONCERNS NOT IDENTIFIED IN ORIGINAL ASSESSMENT:

In addition to the various recommendations for remediation that were reported in the original assessment of the ECDOC and ECCF, several other areas of concern were identified after the original assessment. These included concerns identified by the ECDOC itself and by TAG during the remediation phase. These concerns, and their respective remediation are detailed herein.

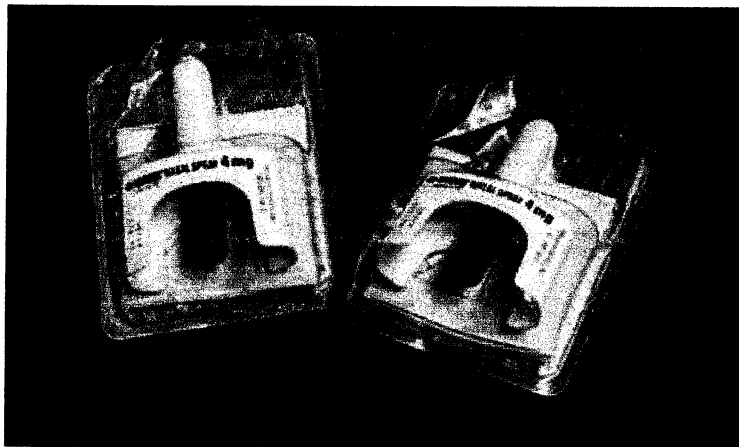
- **In-Service Training of Internal Affairs Unit Personnel:**

Anthony Ambrose, Principal of The Ambrose Group, provided a half-day in-service lecture on the duties and responsibilities of Internal Affairs personnel and general investigative techniques.

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- **Issuance of Narcan to Internal Affairs Personnel:**

TAG had recommended that Narcan (naloxone) be provided to Internal Affairs personnel, as well as being available in the Internal Affairs evidence room in the event of accidental exposure to opiate-related substances. Documentation in the form of a written order by Chief McEnroe, dated July 13, 2023, to all Internal Affairs and Disciplinary Unit members directing them to carry Narcan and making Narcan available in both the Internal Affairs offices and evidence room. Narcan kits were observed in the evidence room. Additionally, as documented elsewhere in this report in more detail, documentation was provided indicative of the issuance of Naloxone to ECDOC personnel.



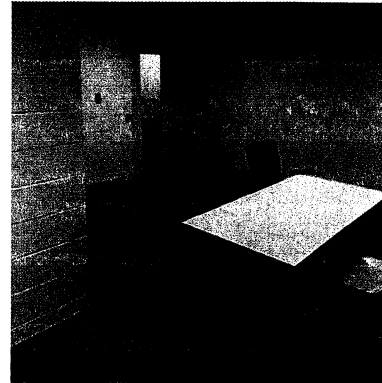
The importance of the issuance of Narcan to ECDOC personnel was dramatically realized when an ECDOC CPO was inadvertently exposed to suspected opiates when handling an inmate's personal belongings and suffered an adverse reaction. The CPO was administered Narcan and recovered from the incident.

- **Recommendation of Desk References for Internal Affairs personnel:**

TAG personnel recommended the issuance of desk references (hardcopy and digital) to all Internal Affairs personnel to assist in addressing concerns that arise both on-duty and while away from the office on-call. The reference packet included the Attorney General Internal Affairs Policy and Procedures, as well as applicable Directives and Guidelines. These were issued to all personnel by the Chief of Internal Affairs. TAG further recommended that all

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personnel read and understand the initial assessment report of the ECDOC and ECCF (The Ambrose Report) to fully understand the concerns identified applicable to not only the Internal Affairs Unit but also the organization and facility as a whole. Correspondence from the Chief of Internal Affairs was forwarded documenting that IAU personnel read the Report as it pertains to Internal Affairs.



- **Remediation Of the Internal Affairs Interview Room:**

During a site visit to the Internal Affairs offices, the unit's interview room, a converted barber shop, was inspected and found to have several safety concerns (i.e., mirrors still attached to the walls, sharp-edged tables).

Additionally, the room did not have permanently installed video/audio recording equipment for proper interview statements. The ECDOC remodeled the room at the recommendation of TAG by removing the safety concerns and having audio/video capabilities installed in (2) locations on the room's ceiling. The room was found to be professional looking, safe, and effective. The ECDOC can record interviews remotely outside the room.²⁵

- **Ancillary Supervisory Training:**

To assist the ECDOC in providing supervisory training for its supervisory personnel, TAG personnel forwarded hyperlinks to the ECDOC command staff for free online training for supervisory personnel. The training is provided by the Federal Emergency Management Agency (FEMA) as part of their Professional Development Program. The programs are free and individually paced and may provide ancillary supervisory training for ECDOC personnel.²⁶

²⁵ County of Essex Purchase Order Nos. 432785, dated May 12, 2023, and 449784, dated May 18, 2023, were forwarded detailing the purchase of the installed equipment.

²⁶ See [Emergency Management Institute | Professional Development Series \(PDS\) Courses \(fema.gov\)](#).

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- **I.A.U. Evidence Function:**

- Inventory

It was learned that the IAU was in the process of securing access to the Barcode Evidence Analysis Statistics and Tracking (BEAST) evidence management system and that a full inventory will be conducted once the system is implemented. ECDOC forwarded a quote for the BEAST system dated September 20, 2023. At the time of this report, purchase of the system was still pending.

Additionally, the ECDOC hired a civilian employee who was assigned to the IAU to handle evidence responsibilities. The ECDOC also provided documentation that a sworn CPO would be assigned to assist the Evidence Custodian with the inventory. [Documentation]. The ECDOC Director indicated that a new evidence room was being constructed and the inventory would occur once the new evidence room is completed. At the time of this report, this point was still pending.

- Destruction:

Documentation was received in the form of an ECDOC Evidence Disposition Form dated March 31, 2023 and a Certificate of Disposal/Destruction by a vendor (Covanta Essex Inc., Newark, N.J.) dated April 28, 2023 that various items of evidence had been destroyed.

- Training:

Documentation was received from the ECDOC that indicated that an Investigator currently assigned to the IAU had successfully attended Evidence & Property Room Management training course presented by the Passaic County Police Academy on June 26, 2023.

- **COORDINATION WITH ESSEX COUNTY PROSECUTOR'S OFFICE, PROFESSIONAL STANDARDS BUREAU:**

On February 15, 2024, TAG members met with representatives of the Essex County Prosecutor's Office, Professional Standards Bureau (PSB), concerning internal affairs aspects at the ECCF. We were advised that the PSB has an effective and conducive relationship with the current IAU personnel at the ECCF. It was reported that the IAU makes timely notifications to PSB and the

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cooperation they receive in joint investigations was favorable. PSB reported that the IAU properly meets their reporting requirements.

When asked for any recommendations concerning internal affairs matters at the facility, we were advised that the security audio monitoring equipment in the facility's inmate showers needs to be improved as it would aid in the investigation of internal affairs complaints alleged to have occurred there.

RECOMMENDATION: It is recommended that the security audio monitoring equipment in the facility's inmate showers be improved to more clearly decipher conversations in those areas.

II. ADMINISTRATION:

During the initial assessment of the ECCF, various aspects of the agency's administrative functions were reviewed. Accordingly, numerous Critical Findings were noted, with recommendations for remediation presented. The Critical Findings are presented herein, along with the status of the remediation for each.

• REMEDIATION OF CRITICAL FINDINGS

- **ADMINISTRATION CRITICAL FINDING: When a new policy is promulgated, amended, or revoked, there is no uniformity of notification to the rank and file. There is no electronic or paper-based signature process that would memorialize that a staff employee has reviewed and understands the policy. ECCF does not possess an electronic document management system (DMS) or records management system (RMS) that can appropriately track access and downloading.***

It therefore suffers the risk of inadvertent or purposeful disclosures of confidential information and internal policy by lacking the ability to

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electronically monitor who has accessed, downloaded, or printed internal correspondence.

Representatives from the ECDOC provided TAG with documentation reflecting the purchase of a Document Management System (DMS), specifically Power DMS, along with provisions for onboarding/setup and training.²⁷ The ECDOC further provided documentation in the form of Power DMS sample monthly user login report and login username lists, which were reflective of system utilization.

Since the implementation of Power DMS, ECDOC policies are disseminated to ECDOC employees through the system and must digitally acknowledge receipt of the issued document. Login documentation of disseminated documents were provided by the ECDOC.

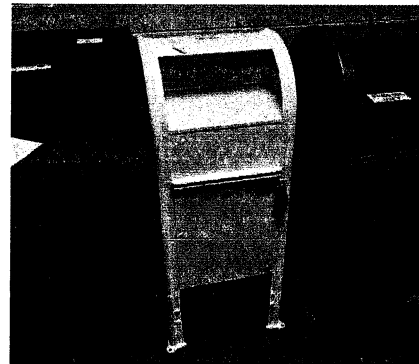
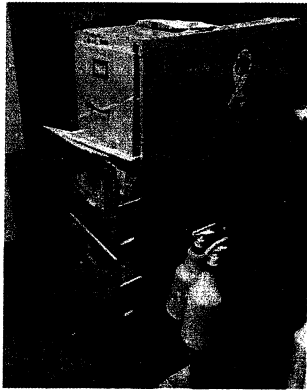
Concerning the implementation and utilization of a Records Management System (RMS), the ECDOC provided sample documentation of implementation of a limited system as reflected in classifications records delineated in SOP No. PS.CLS.005.01 (Classification of County Inmate). However, a facility-wide RMS system is still pending implementation at the time of this report.

The ECDOC advised in July of 2024 that the uploading of voluminous amounts of agency documents was currently underway and that they anticipate full implementation in the last quarter of 2024.

²⁷ County of Essex Purchase Order No. 426667, with an order date of 1/26/23.

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- **ADMINISTRATION CRITICAL FINDING:** *During an unannounced visit to the ECCF by TAG personnel, ECCF Incident Reports were observed unsecured and openly hanging on clipboards.*



It was determined that since the initial assessment, all incident reports were now scanned and archived electronically, with the hard copy maintained in a secured location. The ECDOC reported the following protocol was recently implemented regarding Incident Report digitization and hardcopy storage process:

1. Incident Reports (IRs) are generated by custodial staff as required. All IRs are delivered to the Shift Commander in Master Control.
2. The shift commander reviews the reports and signs off.
3. A Sergeant in Master Control scans the reports into digital format.
4. The IRs are returned to the shift commander who places the hardcopies in a sealed folder.
5. At the end of the shift, the shift commander puts the sealed folder into a lockbox adjacent to Master Control labeled "Incident Report Folders." (Photo above).
6. A CPO from CHART retrieves the hardcopies and transports them to CHART for review and storage in their secure area. IRs are retained here for approximately (1) year and then transported to the County document storage facility for archiving.

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▪ **REMEDATION OF CONCERNS NOT IDENTIFIED IN ORIGINAL ASSESSMENT:**

Pursuant to the mentoring aspect of this project, TAG made certain recommendations of current conditions not specifically delineated in the initial assessment.

▪ **CORR-STAT REPORTS:**

As the result of findings from the initial assessment of the ECDOC, TAG recommended the implementation of a formalized and scheduled reporting mechanism for the ECDOC executive staff. The CORR-STAT Report (short for Corrections Statistical Report) was established. The report is generated on a weekly basis by the CHART Unit. The Unit compiles statistical data from a variety of functions and units in the ECCF reflective of current situational conditions. The reports include analyses for each floor and shift. In addition to current statistics presented, comparative analyses are also presented with week-to-week; month-to-month; and year-to-date comparisons. Percentile fluctuations are also noted for all comparative analyses.

TAG recognizes this as a valuable tool that ECDOC administrators may utilize to garner timely and accurate insight into unfolding situations and potential threats, as well as identifying potential concerns as a preventative measure. Further recommendations were offered to further enhance the capabilities of the CorrStat report, specifically, adding comparative analyses for Officer discipline from the prior year-to-date, as only current statistics were provided, and adding additional details to the contraband section. Coordination was made with the personnel who compile the CorrStat reports and a more detailed breakdown of contraband seizures would be included going forward, along with a comparative analysis from preceding periods. Similarly, comparative analyses of sworn and civilian disciplinary actions would also be included going forward. [Documented].

TAG strongly recommends that the CorrStat reports be reviewed by the EDDOC executive staff on a weekly basis and any spikes or anomalies be addressed immediately, along with documentation and follow-up.

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III. INTAKE:

▪ REMEDIATION OF CRITICAL FINDINGS

The Intake function of the ECCF was reviewed during the initial assessment and a Critical Finding was noted.

- ***ADMINISTRATION CRITICAL FINDING: During a site visit of the ECCF by TAG personnel, it was determined that inmates were being housed in Intake more than 5 days, in some instances. TAG personnel were advised that, on average, inmates normally remained in Intake 2-3 days. ECDOC SOP PS.CLS.005.01, Section V.A.2, states, "Each individual committed to the institution shall be formally classified as soon as is practical, usually within 48 hours, but not to exceed 72 hours." It did not appear that the delay was with the Intake process but rather with the availability of beds in the regular housing units once the inmates are classified.***


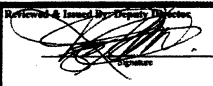
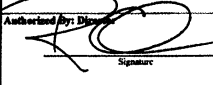
In response to the above Critical Finding in the initial assessment, the ECDOC reported that they have increased the Classification Unit coverage to two shifts and weekends. This increase reportedly resulted in timelier classifications of inmates who arrive off hours and on weekends. Documentation was received in the form of staffing scheduling that reflected the staffing now consists of █ CPOs, with their assigned shifts covering █ hours and weekend shifts.

A review of time frames from intake through classification and into actual housing was undertaken by TAG. A review of a random date in the 2nd quarter of 2023 revealed that a total of (34) persons were received that date at ECCF Intake. Of that number, (13) were released by the following date. Of the (21) who were not released, all were found to have been in-processed and transferred from Intake to housing within (1) day; (12) were moved to housing the same day and (9) were moved the following day.

TAG noted in the initial assessment that information received from the Classification staff contradicted ECDOC policy. The policy clearly stated that Classification Committee meetings are

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to be held daily, while the staff related that the meetings are held weekly. Documentation was received reflecting that SOP No. PS.CLS.005.01 was revised August 1, 2023 to reflect weekly instead of daily meetings. Sample documentation of a classification meeting was also received.

	Essex County Corrections	Codification PS.CLS.005.01 Page 1 of 15
Policy Title: Classification – County Inmate		Enabling Authority: N.J.A.C. 10A:31-1 et. seq.
Effective Date: March 28, 2019	Revised: July 2023	Authority: N.J.A.C. 10A:22.1 – 22.6
Formulating Officer: Training/Policy Development Division		Professional Association Standard Cited:
Applicability: Classification Officers, County Inmates		Review Schedule: July 2024
Any Order, Policy, Directive or Memoranda in conflict with this Order is hereby superseded.		
Reviewed & Issued By: Prison Director  _____ 8/1/2023 Date		
Authorized By: Director  _____ 8/1/2023 Date		

The initial assessment revealed the lack of a gender identity policy, which did not offer assurances that all inmates are processed, classified, and assigned to appropriate housing. The ECDOC had implemented the *Transgender* SOP (PS.CUS.072) effective January 2022 and recently revised in January 2023. The intake, classification, and housing protocols were delineated, to include medical and mental health provisions. Additionally, ECDOC *Sexual Abuse & Assault Prevention & Intervention* SOP (No. PS.CUS.051) was also revised effective June 2023. In that SOP, gender identity aspects are delineated. Supporting documents for Prison Rape Elimination Act (PREA)/Transgender training curriculum were also received which also address transgender housing aspects. Lastly, the 2023 ECDOC training curriculum for sworn personnel was provided that depicted transgender training (2nd quarter), PREA training (3rd quarter), and mental health awareness (4th quarter).

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IV. HOUSING:

The Housing function of the ECCF was reviewed during the initial assessment and a Critical Finding was noted.

- **REMEDIATION OF CRITICAL FINDING:**

- ***HOUSING CRITICAL FINDING: Mental Health inmates should be segregated into areas where mental health services are provided.***

The ECDOC provided a forensic census housing report, dated January 8, 2024, that reflected that all inmates deemed "forensic" (i.e., in need of mental health treatment/follow-up) were all similarly housed in units in [REDACTED]. This assignment allows for housing where the facility's mental health group is located, and it further keeps the forensic inmates separated from the other inmates at the ECCF.

The ECDOC provided a booklet delineating the various inmate programs available at the ECCF. Included therein was an overview of their Mental Health Transitional Care Unit (TCU) located within the ECCF, as indicated below. This program included a mental health step-down program.

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Mental Health Transitional Care Unit (TCU)

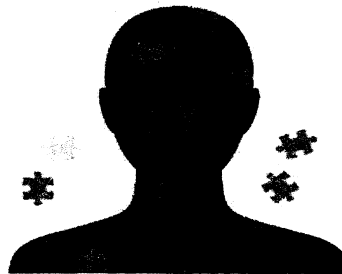


The Transitional Care Unit (TCU) is a [REDACTED] patient occupancy) special needs housing unit. It is located at ECCF and has been designed for the purpose of providing clinical and validated mental health programming for patients who suffer from severe and persisting mental illness while they are incarcerated. The patients, after thorough clinical assessment of their psychiatric diagnoses and treatment needs by mental health department staff, are placed on our department's Mental Health Forensic Status. This

status alerts all staff at the Essex County Correctional Facility (ECCF) that there are significant concerns about the patient's ability to safely reside in a general population environment. It also identifies them as requiring ongoing mental health and psychiatric care.

There are 4 levels of Mental Health Forensic Status. Patients on Level 1 are severely and debilitatingly mentally ill. They have been assessed to be incapable of engaging in programming. They do not reside on the TCU, but rather on more secure, smaller and less psychiatrically triggering/distressing Special Housing Units (SHU). Patients on Level 2 also suffer from significant psychiatric symptoms and the majority of them have to be monitored for their and others' safety during recreation time with peers. However, they have been assessed to be capable of engaging in individual and group clinical programming with Mental Health Department clinicians. Patients on Level 3 are psychiatrically stable, consistently comply with their mental health treatment/taking their medications/engaging pro-socially with their housing unit peers. They are behaviorally stable enough to have cellmates, and participate in individual and group programming. Patients on Levels 2 and 3 are those who have been clinically identified by MH Department staff as appropriate for housing on the TCU. The [REDACTED] of those on the TCU are classified as [REDACTED] as only [REDACTED] patients can be housed on the TCU at any given time. The goals for the TCU are to incentivize patients' attendance to their mental health and support their transition to higher MH Forensic statuses. Patients housed on the TCU still reside in a safe clinical alternative to general population, but are provided with mental health programming in a step-down environment from the SHU.

Patients in the TCU are engaged daily and weekly in individual and group mental health programming, as well as psychiatric care. Programming on the unit is individualized based on the special needs of each patient and their ability to engage in levels of programming. The unit is managed by the Mental Health Department's clinicians and psychiatry staff. However, we require and depend on the support and resources of the administrative, custody, medical and social work personnel at ECCF.



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V. MEDICAL:

The Medical function of the ECCF was reviewed during the initial assessment and a Critical Finding was noted.

■ REMEDIATION OF CRITICAL FINDING:

- ***MEDICAL CRITICAL FINDING: Based on our review of staffing reconciliations between the contract requirements and actual attendance based on the vendors' invoices, critical staff shortages were identified for many of the medical titles especially the nursing staff. Only 17 hours of the required 448 RN sick call hours were staffed in October 2021. In addition, a review of documents provided for the billing period covering a 10-week period from September 26, 2021, to December 4, 2021, indicated that no Oral Surgeon hours were billed for the entire period.***
- ***INITIAL RECOMMENDATIONS FOR REMEDIATION: ECCF management has been proactive on this matter and on 2 separate occasions as required by the contract, they directed CFG to develop a corrective action plan. The vendor failed to respond to the first request made in October 2021 and the response to the second request was submitted in March 2022.***

At an earlier meeting with ECCF and CFG and the Essex County Civilian Oversight Task Force, TAG recommended that a shift analysis be conducted to determine the advantage of creating an overlapping shift for medical staff. In a March 31 letter, ECCF indicated that no analysis was conducted, however, the [REDACTED] were implemented. It was further recommended that an x-ray technician be available at the ECCF at least [REDACTED] hours per day. It is too early to determine the impact of the corrective action plan or the overlapping tours for this report.

Along with the above recommendations, TAG recommends that the Essex County Civilian Oversight Task Force continue to take the lead in reviewing the performance

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of the medical vendor CFG and will provide support as needed. The Task Force has medical and academic expertise better suited to evaluate the services provided by CFG to the inmate population.²⁸

In response to this initial Critical Finding of the Medical function, the ECDOC indicated that [REDACTED] had been assigned to the main medical section. TAG verified the assignment of the personnel and determined that she works to ensure that the medical vendor is delivering services as contracted. The areas she audits include intake exams, sick call appointments, mental health, medication delivery, hospital admissions, as well as staffing requirements. Additionally, she writes the RFPs or bids for medical services at the ECCF and reviews and approves the medical vendor monthly invoices.

Additionally, TAG recommends that a comprehensive reassessment of the medical function at the ECCF be conducted by the Essex County Civilian Task Force, as referenced in the initial assessment's recommendations for remediation above, due to their collective expertise in correctional medical matters. It is further recommended that the reassessment should also encompass proper staffing and the timely dispensing of inmate medications, for instance, as well as any actions taken in remediation since the initial assessment.

VI. CONTRABAND:

▪ OVERVIEW

During the initial assessment of the ECCF, the problem of contraband was reviewed and several Critical Findings were noted. Accordingly, TAG personnel included a significant number of recommendations for remediation of the above Critical Findings. Pursuant to our involvement with remediation of the Critical Findings and mentoring at the ECCF, ECDOC staff was requested to provide responses to the Critical Findings and to further provide documentation supporting the remediation. In the interest of clarity, each Critical Finding from the initial assessment

²⁸ See Essex County Civilian Task Force, *Determinants of Health Report. Medical Subcommittee Report for Essex County Civilian Task Force* 4.30.22.pdf (essexcountynj.org).

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concerning contraband is listed individually along with documentation of remediation, if applicable.

The initial assessment addressed the most recent problems facing ECCF staff concerning contraband and the tactics and techniques utilized by the staff in countering this problem. While conducting the initial assessment of contraband, it was deemed relevant to also assess the facility's Criminal Intelligence Bureau (CIB) as it pertained to contraband issues. Since the release of the initial report, the ECDOC disbanded the CIB and instituted the Safety & Security Unit (SSU), which is discussed in greater detail below.

In addition to the review and validation of remediation documentation, TAG provided direct interaction with various ECDOC executive staff to further assist in the remediation of contraband concerns at the ECCF. Additionally, we met with members of the ECDOC executive staff and SSU and IAU commanders providing them with instruction, guidance, and training in the execution of their official duties and responsibilities in addressing the contraband problem.




As indicated previously, the ECDOC has been addressing the contraband problem through a variety of methods to include the creation of both the Safety and Security Unit and the Compliance Unit. Although these are positive steps that TAG endorses, it is imperative that all techniques and protocols be aggressively employed as counter-contraband methods. Although contraband seizures assist in optimizing safety and security at the ECCF, the true measure of counter-contraband effectiveness is the same degree of enforcement protocols but with less contraband seizures being realized. It is strongly recommended that the above units' responsibilities, activities, and results be closely scrutinized by the ECDOC executive staff for development of strategies to address noted concerns in a timely response.

REORGANIZATION OF THE CRIMINAL INTELLIGENCE BUREAU

In response to the findings in the initial assessment concerning the contraband problem, the Criminal Intelligence Bureau (CIB) was disbanded and reorganized as the newly created Safety & Security Unit (SSU), implemented on February 17, 2023. The unit was commanded by a Captain.

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An ECDOC policy/post order (Search and Security; PS.CUSD.006.040) was drafted and implemented on August 1, 2023. The duties and responsibilities of the SSU were documented in the newly developed SOP for the unit. In addition to the duties and responsibilities, the policy delineated training, protocols, incident tracking, compiling of statistical data (source of data in revised CorrStat reports), and intelligence collection. Of note is the formation of a "contraband committee." This committee is tasked with identifying the source of contraband and making recommendations to the ECDOC administration for corrective action.

	Essex County Corrections	Codification PS.CUSD.006.040
		Page 1 of 6
Policy Title: Corrections Officer (Search and Security)		Enabling Authority: N.J.A.C. 10A:31-1 et. seq.
Effective Date: August 1, 2023	Revised:	Authority: 2016 PBD05 Rev Facility Security & Control
Promulgating Office: Bureau of Planning and Strategic Initiatives		Professional Association Standard Cited:
Applicability: All Sworn Staff		Review Schedule: August 2024
Any Order, Policy, Directive or Memoranda in conflict with this Order is hereby superseded.		
Reviewed & Issued By: Deputy Director  Signature		
7/1/2023 Date		
Authorized By: Director  Signature		
2/1/2023 Date		

Organizationally, the SSU is placed under the Safety and Security Division. The unit was comprised of two teams, one on the [REDACTED] and the other on the [REDACTED] however it was determined that, due to the fluid nature of their assignment, the unit personnel varied shifts relative to the needs of the facility. The total complement of unit consisted of [REDACTED] Captain, [REDACTED] Lieutenant, [REDACTED] Sergeants, and [REDACTED] Correctional Police Officers. The unit was further broken down into functional areas, specifically, intelligence/analytics and operational sections. TAG has recommended that a trained civilian intelligence analyst be assigned to the unit to input, analyze, and disseminate intelligence products. We were advised that the SSU has been making contraband seizures since its inception.

REMEDATION OF CRITICAL FINDINGS:

CONTRABAND CRITICAL FINDING: A critical finding of this assessment determined that although the ECDOC does currently track contraband seizures, there is not a protocol or strategy established for the centralized investigation of such seizures or a formal, comprehensive, and ongoing compilation and analysis of criminal intelligence with specific reference to contraband

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seizures. Currently, contraband seizures may be investigated by custody supervisors, IAB, or CIB, depending on the circumstances involved.

As the result of meetings with ECDOC command staff and the review of furnished documentation, we determined that contraband seizures are conducted by varied units depending on the circumstances involved. All contraband itself is forwarded to the IAU for proper logging, storage, and retention. The results of all contraband investigations, regardless of the investigating unit, are forwarded to the SSU for intelligence purposes. TAG does not see this as a detriment if all investigations are properly conducted and final dispositions are forwarded to the central depository (being the SSU) for retention and future retrieval for intelligence purposes.²⁹

CONTRABAND CRITICAL FINDING: During this assessment, it was determined that there are a significant number of blind spots in the facility's security camera system. This is an area of concern not only impacting the counter-contraband efforts, but also the safety of ECDOC staff and inmates alike. If, during the course of follow-up to this assessment's submission, remediation of the facility's blind spots has not been accomplished, TAG will recommend the acquisition and implementation of body worn cameras (BWCs) for ECDOC staff members.^{30 31}

As the result of this specific Critical Finding, the ECDOC purchased and installed [REDACTED] new security cameras (along with additional replacement cameras, if needed). Documentation was received in the form of purchase orders³² and listings of the camera identifiers and locations. It is particularly noteworthy that two of the newly purchased security cameras captured an incident

²⁹ Documentation in the form of a spreadsheet delineating monthly contraband seizure totals was provided in June of 2024. The breakdown included not only seizure totals but also locations of the seizures to assist in developing a strategy to counter the problem.

³⁰ See U.S. Dept. of Justice, Bureau of Justice Assistance, NJDOC Body-Worn Camera Expansion Project; awarded grant funding for BWCs. *NJDOC Body-Worn Camera Expansion Project | Bureau of Justice Assistance (ojp.gov)*.

³¹ See NJDOC Press Release: New Jersey Department Of Corrections Implements Body Worn Camera Project. *NJ DOC Letterhead*.

³² County of Essex Requisition No. 422333 & 422335.

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of an inmate/CPO assault at a location that had previously been a blind spot. However, it was learned that several of the current security cameras in custody areas need upgrading.

TAG further recommended that a formal audit of all facility security cameras be conducted for potential upgrading and any requiring be upgraded. It was further recommended that an updated survey be conducted, both internally and externally, of additional security camera blind spots and additional security cameras be installed to address them.

Documentation was received from the ECDOC on July 15, 2024 in the form of price quotes for the purchase and installation of approximately [REDACTED] refreshed security cameras, along with related accessories. We were advised that the ECDOC anticipates the acquisition and installation in September of 2024.³³

CONTRABAND CRITICAL FINDING: ECDOC staff members were found not to be fully compliant with all aspects of the security screening procedures in accordance with ECDOC SOP PS.CUS.054.

The ECDOC issued a directive dated October 6, 2023 directing the Shift Commander to ensure that [REDACTED] Supervisors were assigned to the employee [REDACTED] at least [REDACTED] minutes prior to shift changes to assist in processing incoming personnel.

Additionally, the ECDOC provided quarterly training to reinforce the requirements of the *Security at Facility Entry SOP*.³⁴ That SOP was also revised in May of 2023.

AND

CONTRABAND CRITICAL FINDING: On several occasions, apparent ECDOC employees (some were in uniform while others were in civilian attire) were observed bypassing the visitor lobby

³³ Price Quotes dated 6/25/24 and 4/2/24 were received.

³⁴ Documentation in the form of sample employee training sign-in sheets for multiple quarters, as well as a copy of the training PowerPoint presentation was provided.

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entrance screening devices (located to the left of the security desk) and proceeding directly to the right of the security desk unchallenged and entering the facility. Some of the observed personnel were observed carrying bags, clothing, or drink containers, which were also not screened.

The potential introduction of contraband into the ECCF by employees, visitors, and vendors is a major concern confronting the ECDOC. Accordingly, the ECDOC revised its *Security at Facility Entry Points Policy* (PS.CUS.054) in May of 2023. The revisions included specific delineation of procedures involved in the screening of personnel entering secure areas of the facility, as well as added delineations of CPOs and shift commander responsibilities working the entry control points. This included the assigning of a supervisor to the entry control points to monitor compliance. The ECDOC did not report any infractions of the policy.

Effective June 1, 2024, the ECCF implemented a single point of entry for employees, specifically the "Red Door" entrance on the Doremus Avenue side of the facility. This was implemented pursuant to Director Charles' issuance of Director's Memo No. 2024-22.

TAG reviewed security camera footage for the Doremus Avenue employee entrance and the visitor lobby employee entrance for various dates in September 2023. Concerning the Doremus Avenue entrance, numerous albeit infrequent instances were documented of ECDOC uniform personnel bypassing the existing security devices and entering the facility unchallenged. Also, numerous employees were documented as entering with unscanned extra clothing and wearing ball caps. Additionally, a civilian food worker was observed being properly scanned but the cart he was pushing went through unchecked. Lastly, supervisors purportedly assigned to the entrance were not noted in the reviewed footage on multiple occasions.

Concerning the visitor lobby employee entrance, TAG reviewed security camera footage and determined that ECDOC personnel properly screened visitors to the ECCF. However, the review revealed that ECDOC employees, both uniformed and in civilian attire, bypassed any security

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screening and proceeded past security personnel. They were additionally observed carrying unscreened additional clothing and/or bags/packages.

CONTRABAND CRITICAL FINDING: Inmates are scanned following visits with persons other than an attorney. Since they never leave the facility, inmates are only patted down.

This Critical Finding is redundant with the Security Critical Finding. It was determined that a new protocol was implemented by the ECDOC after the issuance of the initial assessment. Prior to attorneys meeting with inmates, the attorneys are now screened for contraband. This consists of personal inspection of property possessed by the attorneys and successful proceeding through the facility's magnetometer. This was documented through the review of ECCF security camera footage. Documentation was also received that delineated professional visits by legal personnel to the ECCF having been screened prior to entry.

Additionally, the ECDOC provided documentation of the revisions to ECDOC SOP *Contraband and Search of Inmates and Facility* (No. PS.CUS.046) that was revised in July of 2023 and effective in August of 2023. This policy referenced pat-down searches of inmates as well as the use of metal detectors to aid in detecting contraband.

CONTRABAND CRITICAL FINDING: During a site visit to the ECCF Legal Mail Room, as well as from interviews conducted of ECDOC personnel, it was determined that there is only one (1) staff member assigned to process incoming purported legal mail and that person is alone in a closed office. Nationally, law enforcement personnel have been documented as having experienced incidental exposures and overdoses due to opioid-treated materials. In the event of an incidental exposure, staff members may be in peril. Although the ECCF has medical staff available to respond around the clock in the event of an incidental overdose by staff members,

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the immediate availability of Naloxone in critical non-medical areas can only increase the chances of a favorable disposition for a staff member inadvertently affected.

After the initial assessment, the ECDOC stated that they consolidated the legal and regular inmate mailrooms so that ■ ECDOC personnel all work together thus positively impacting the safety aspects for personnel in the event of a drug-related overdose through inadvertent contact with a hazardous opioid substance. Additionally, the mailroom staff have received training in the use of Naloxone/Narcan, a medication used for the emergency treatment of known or suspected opioid overdose (training documentation). Lastly, the ECDOC had provided documentation in the form of a Naloxone/Nasal Narcan Issuance Form spreadsheet reflective of the issuance of Naloxone to ECDOC personnel in 2023, as well as a three-ring binder containing ECDOC Equipment Issuance Form reflective of the documented issuance of Naloxone to ECDOC sworn staff in 2023. It was further learned that the ECDOC had contracted a vendor (LIAM Connect) to screen all non-legal incoming inmate mail, thus detecting contraband of varying types.³⁵ [Documented].

CONTRABAND CRITICAL FINDING: It was determined during this assessment that most of the personnel assigned to CIB lack formal investigative training.

The ECDOC indicated that they were researching external investigative training for its members and training is pending.³⁶

CONTRABAND CRITICAL FINDING: Although the ECDOC has a viable criminal intelligence gathering capability, it was lacking significant control protocols, specifically, those that comply

³⁵ The LIAM Connect website describes their product as, "Specifically developed for correctional facilities as a way to reduce contraband, increase officer safety and enhance communications between inmates and their family, LIAM SAFE is a plug-and-perform communication platform to deliver high-quality photos and letters to inmates..." Send Letters and Photos to Prison - LIAM Connect

³⁶ As of January 2024.

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with the requirements of Attorney General Guidelines on the Collection, Handling, Storage and Dissemination of Intelligence in New Jersey³⁷ and the federal 28 CFR Part 23, Criminal Intelligence Systems Operating Policies.³⁸

As the SSU is now the central depository for intelligence-related information cultivated from within the ECCF, TAG had recommended that all personnel assigned to the SSU receive proper intelligence system training that conforms with all provisions of both the *Attorney General Guidelines on the Collection, Handling, Storage and Dissemination of Intelligence in New Jersey*, and Federal regulations found in 28 CFR Part 23, *Criminal Intelligence Systems Operating Policies*.

To adopt a best practices methodology to criminal intelligence gathering, as well as allay potential liability issues, it was recommended that the ECDOC develop and implement an SOP that mirrors the provisions delineated in the *Attorney General Guidelines on the Collection, Handling, Storage and Dissemination of Intelligence in New Jersey*, as well as Federal regulations found in 28 CFR Part 23, *Criminal Intelligence Systems Operating Policies*. As a minimum, the SOP should address the following:

- Designation/hiring of a civilian trained intelligence analyst to act as the primary data entry and analyst personnel;
- Training of all ECDOC personnel who would have access to the criminal intelligence system (i.e., 28 CFR Part 23).
- Delineated collection protocols and restrictions;
- Proper classification, dating, reviewing, and purging;
- Proper secure storing with restricted access;
- Analysis protocols; and
- Dissemination protocols, to include an audit trail / dissemination log.

³⁷ See *Attorney General Guidelines on the Collection, Handling, Storage and Dissemination of Intelligence in New Jersey C:\Documents and Settings\dc\Local Settings\Temp\AG Guidelines Signed Version.wpd (nj.gov)*.

³⁸ See *eCFR :: 28 CFR Part 23 – Criminal Intelligence Systems Operating Policies*.

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As indicated elsewhere, a new SSU policy was implemented that addressed intelligence gathering aspects. We were additionally advised that SSU personnel were in the process of facilitating online 28 CFR Part 23 training from the MAGLOCLIN organization. It is recommended that after the receipt of 28 CFR training, the Captain of the SSU facilitates a review of the existing policy concerning intelligence and revises accordingly, to include the recommended standards above.

Documentation was received that the unit has a computerized database in the form of an Excel spreadsheet accessible by the unit's supervisory personnel. TAG recommended that the SSU procure a dedicated computerized intelligence database with enhanced capabilities.

The ECDOC has implemented the use of CorrStat Reports, a weekly generated report that delineates a wide variety of statistics from all the various sections of ECCF, as well as variety of indicators, one of which was contraband seizures. On TAG's recommendation, the CorrStat Report commenced including a listing of contraband by type, along with weekly, monthly and year to date comparative analyses with the report, as well as the seizures analyses from the facility's geographic sections. It is recommended that the ECDOC administration review the data compiled in the CorrStat Report weekly with command staff with specific emphasis on the seizure locations to identify investigative leads as to potential personnel responsible for introducing contraband into the facility.

Additionally, all inmates should be debriefed for criminal intelligence when being processed during intake and classification procedures, as well as being documented for gang involvement. This should be accomplished using a standardized Inmate Intelligence Debriefing Form and forwarded to the SSU for input into the intelligence database. The ECDOC advised in October of 2023 that they were conferring with NJDOC on the issue and an SOP was being developed.

TAG further forwarded a hyperlink to ECDOC executive staff and SSU command personnel concerning documents facilitating intelligence gathering in correctional facilities to assist ECDOC

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personnel in bolstering their intelligence gathering, analysis, and dissemination processes.³⁹

▪ REMEDIATION OF MISCELLANEOUS FINDINGS & RECOMMENDATIONS:

During the initial assessment of the ECCF, various miscellaneous recommendations were offered to the ECDOC to assist in remediation of areas of concern. With specific reference to the contraband function, the following recommendations were made. Immediately following each recommendation, the status of the recommendation will be detailed.

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- To counter the increase in contraband seizures and in the increase in attacks on ECCF staff members, it was recommended that an intelligence-led strategy be pursued in conjunction with increased random and targeted cell searches to enhance the seizures of contraband and possibly reduce potential incidents of violence and assaults.
- It was further recommended that the ECDOC develop, design, and implement a protocol for the daily pre-planned searches of a targeted location that varies day-to-day.
- It was further recommended that an SOP be drafted as the guiding policy for the Criminal Intelligence Unit, as well as for the proper handling, classification, marking, storage, and dissemination of criminal intelligence products, as indicated in the Attorney General Guidelines on the Collection, Handling, Storage and Dissemination of Intelligence in New Jersey and the federal 28 CFR Part 23 Criminal Intelligence Systems Operating Policies.

CONTRABAND RECOMMENDATION STATUS:

As delineated above, the newly formed SSU has started to address these concerns. It is important to note that a review of the December 27, 2023, CorrStat Report indicated that

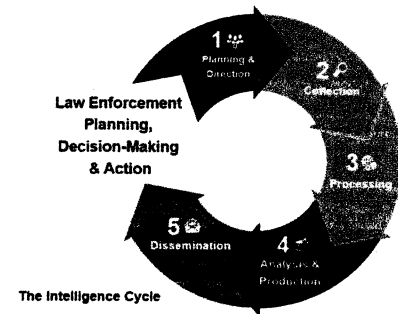
³⁹ See Lexipol "Intelligence Gathering in Correctional Facilities: Mission & Process." Intelligence Gathering in Correctional Facilities - Lexipol.

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assaults on CPOs is down 42% YTD as compared with 2022 YTD. There were (50) assaults on CPOs in 2022 and (29) for 2023 YTD.

We were advised that all pre-planned searches were intelligence driven, as depicted in the illustration at right.

This was evidenced by a review of the CorrStat statistics for the ECCF, dated December 27, 2023, revealed that targeted searches increased from (2) in 2022 to (201) in 2023 YTD, a staggering 9950% increase. Similarly, planned searches increased by 51% from 2022 YTD, while facility/common area searches increased by 52%. Similarly, facility-wide, contraband seizures have increased by 125%. Documentation⁴⁰ was provided that reflected that the SSU was involved in the following contraband-related activities:



- Targeted searches;
- Cell searches;
- Code responses;
- Roving patrols;
- Common area searches;
- Pat searches of facility workers;
- Monitoring of inmate telephone calls, ECDOC-issued tablets, and mail; and
- Inmate interviews.

Documentation was also received that contraband detection canines from other law enforcement agencies were utilized in 2022 and 2023 to assist in contraband detection. The intelligence function of the SSU provided sample documentation of the monitoring of inmate telephone calls for security and intelligence purposes.

⁴⁰ ECDOC Safety & Security Division case log dated 6/1/23 thru 9/8/23.

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CONTRABAND MISCELLANEOUS RECOMMENDATION:

- It was recommended that ECDOC SOP concerning Security at Facility Entry Points (PS.CUS.054) be revised to provide clearer and more succinct language concerning cellular telephone being prohibited in secure areas of the facility.

CONTRABAND RECOMMENDATION STATUS:

On February 6, 2024, the ECDOC issued Memorandum No. 24-0089 directing that only personnel specified in the memorandum were authorized to enter the secured perimeter of the ECCF with cellular telephones. The memorandum was issued to all ECDOC personnel and was further to be posted at ECCF security checkpoints. [Documented].

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- It was recommended that ECDOC SOPs concerning Contraband and Search of Inmates and Facility (PS.CUS.046) and Control of Evidence (PS.ADM.038) be revised to delineate the designated and coordinated of contraband seizure investigations.

CONTRABAND RECOMMENDATION STATUS:

This point was pending.

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- In a further attempt to counter the problem of contraband being introduced into the ECCF, it was recommended that coordination be pursued with the Essex County Prosecutor's Office and the County Counsel's Office to determine the feasibility of

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instituting random pat down searches of ECDOC staff members in conjunction with existing protocols in effect.

CONTRABAND RECOMMENDATION STATUS:

This point is still under consideration and review by the County Counsel's Office.

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- Concerning the security camera system for the ECCF perimeter, it was recommended that an audit be conducted at the earliest opportunity to conclusively determine if any blind spots are present and remediate at the earliest opportunity. Pending.

CONTRABAND RECOMMENDATION STATUS:

It was determined that security camera and Automated License Plate Reader (ALPR) coverage must include both the employee and visitor parking lots. We were advised that this equipment was being applied for in a pending budget application. At the time of this report, this matter was still pending.

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- It was recommended that the ECDOC prominently post written warnings in all visitor areas that the introduction of specified contraband into the ECCF and to an inmate is prohibited, criminal, and strictly enforced.⁴¹

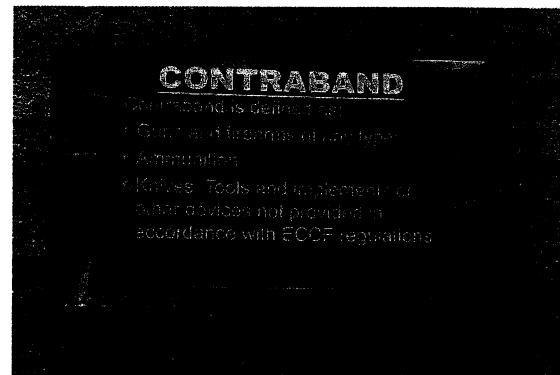
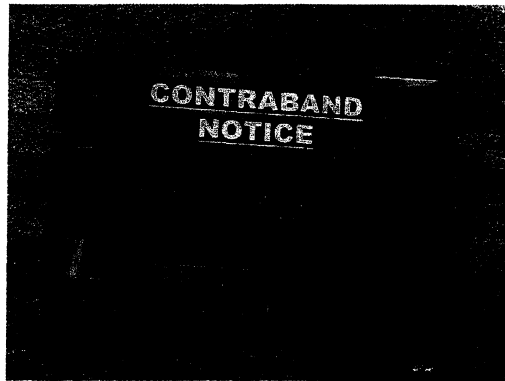
CONTRABAND RECOMMENDATION STATUS:

The ECDOC has posted on digital sign boards in the visitor's lobby and at other entrances that contraband is expressly prohibited in the ECCF, including a listing of various contraband items.

⁴¹ See N.J.A.C. 10A:3-6.8.

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Additionally, documentation was received that the ECDOC was in the process of having contraband advisement metal signs made for employee entrances.



CONTRABAND MISCELLANEOUS RECOMMENDATION:

- To interdict contraband in inmates' mail and documents, it was recommended that an additional VeroVision Mail Screener be purchased to handle mail in the regular mail room (to augment the one currently in use in the legal mail room). It was further recommended that the second VeroVision device be portable in nature so as to be utilized remotely in the various custody areas during targeted searches, thus further enhancing the facility's counter-contraband efforts.

CONTRABAND RECOMMENDATION STATUS:

Documentation was received that the ECDOC had a tentative contract for the implementation of the LIAM Safe Mail Management System for handling inmate mail. At the time of this report, this point was pending. While the implementation of an inmate mail screening device, such as the one described above, is laudatory and recommended by TAG, we also recommend that a portable spectrometry device be acquired for utilization in the ECCF. A handheld portable drug detection device was requested by ECDOC personnel during the initial assessment of the ECCF to assist in locating, identifying, and seizing illicit drug-related contraband in the inmate housing areas.

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CONTRABAND MISCELLANEOUS RECOMMENDATION:

- It was recommended that research be conducted by the ECDOC into the potential of obtaining / utilization of cellular telephone mitigation technology and hardware, sanctioned by the FCC, to thwart illicit use by inmates.^{42 43}

CONTRABAND RECOMMENDATION STATUS:

This point is still being considered for implementation by the ECDOC at this time.

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- It was recommended that a Sergeant be assigned to the Criminal Intelligence Bureau (CIB) as a first-line Supervisor at the earliest opportunity.

CONTRABAND RECOMMENDATION STATUS:

This recommendation is no longer applicable as the CIB was disbanded and the newly formed SSU is supervised by a Captain and Lieutenant, as well as ■ first-line Sergeants.⁴⁴

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- It was recommended that a comprehensive computerized database be developed /

⁴² See *Federal Communications Commission (FCC), Putting an End to Illegal Cell Phone Use in Prisons. Microsoft Word - Combating Contraband Cell Phones in Prison Handout v4.doc (fcc.gov).*

⁴³ Potential grant funding is available through the U.S. DOJ/BJA and can be used to support projects related to preventing, detecting, seizing, and/or stopping the presence and use of contraband cellphones by detainees and inmates. This includes the purchasing of managed access systems and other mitigation technologies (as permitted by applicable law). See *Edward Byrne Memorial Justice Assistance Grant (JAG) Program | Overview | Bureau of Justice Assistance (ojp.gov).*

⁴⁴ ECDOC Safety & Security Division Table of Organization dated 9/12/23.

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purchased for use by the Criminal Intelligence Bureau (CIB) for the proper indexing and collating of their investigative and criminal intelligence files.

CONTRABAND RECOMMENDATION STATUS:

As delineated previously in a Critical Finding, the SSU currently utilizes an Excel spreadsheet for tracking and collating their information, but it was recommended that they procure a dedicated computerized intelligence database. It was further recommended that a civilian intelligence analyst be assigned to the SSU intelligence function and that individual be properly trained and experienced.

We were advised that the SSU has computers assigned to their personnel but lack a formal database for the storage and retrieval of data and information. We were further advised that a program was being applied for in a pending budget application. At the time of this report, this matter was still pending.

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- To enhance the criminal intelligence gathering capabilities, it was recommended that consideration be given to expanding the duty hours of the Criminal Intelligence Bureau (CIB) to include the manning of the evening shift on a routine basis.

CONTRABAND RECOMMENDATION STATUS:

The SSU, which assumed the responsibilities of the disbanded CIB, now worked varied shifts depending on the needs of the ECCF.

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CONTRABAND MISCELLANEOUS RECOMMENDATION:

- It was recommended that the Criminal Intelligence Bureau (CIB), in addition to the Internal Affairs Bureau (IAB), be notified of all contraband seizures.

CONTRABAND RECOMMENDATION STATUS:

As per current protocol, the SSU is the central depository for all contraband investigations. There is open dialogue between the SSU and the Internal Affairs Unit (IAU) concerning pending contraband investigations by those units. Contraband incidents investigated by custody staff and monitored by the intelligence function of the SSU daily through review of unusual activities reports. The intelligence function would then review the specific incident reports pertaining to contraband. The IAU is the central depository for all contraband evidence seized, with supporting documentation was received.

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- To enhance the criminal intelligence gathering and sharing capabilities of the Criminal Intelligence Bureau (CIB), it was recommended that the CIB Supervisor proactively develop liaisons with various other law enforcement agencies that have criminal intelligence faculties. These agencies would include the Essex County Prosecutor's Office, Intelligence Unit; the Newark Police Department, Real Time Crime Center;⁴⁵ the New Jersey State Police, Regional Operations & Intelligence Center (ROIC);⁴⁶ the FBI Joint Terrorism Task Force (JTTF);⁴⁷ the New York/New Jersey High Intensity Drug Trafficking Areas (NY/NJ HIDTA);⁴⁸ and the MAGLOCLN network.⁴⁹ Information obtained inside the

⁴⁵ See [Newark Police Division](http://NewarkPoliceDivision.org): (newarkpublicsafety.org).

⁴⁶ The NJSP ROIC also issues criminal intelligence advisories in real-time to law enforcement agencies. See [New Jersey Regional Operations & Intelligence Center \(NJ ROIC\)](http://NewJerseyRegionalOperations&IntelligenceCenter.org) | [New Jersey State Police](http://NewJerseyStatePolice.org).

⁴⁷ See [Joint Terrorism Task Forces](http://JointTerrorismTaskForces.org) — FBI.

⁴⁸ See <https://www.hidtaprogram.org/summary.php>.

⁴⁹ The mission of the Regional Information Sharing Systems (RISS) Program (parent organization of MAGLOCLN) is to assist local, state, federal, and tribal criminal justice partners by providing adaptive solutions and services that

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ECCF may directly relate to crimes and incidents in the various jurisdictions outside of the facility and the timely sharing of that information may reduce crime and may positively impact outside criminal investigations and prosecutions.

CONTRABAND RECOMMENDATION STATUS:

It was learned that the Essex County Prosecutor's Office (remotely) and the Newark Police Department each have one Detective assigned to the ECCF for intelligence purposes. Additionally, TAG facilitated liaison between the Safety and Security Unit personnel and the Essex County Prosecutor's Office for intelligence matters.

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- It was recommended that the Special Investigations Division and the Criminal Intelligence Bureau, when appropriate, conduct forensic analyses on contraband cellular telephones seized to cull intelligence.⁵⁰
- It was further recommended that when forensic analyses are conducted on contraband cellular telephones seized in the ECCF by outside agencies, that the results of the forensic examinations be requested and forwarded to the CIB for intelligence gathering.

CONTRABAND RECOMMENDATION STATUS:

It was determined that the ECDOC had not, as a policy, been routinely conducting forensic analyses of seized cellular telephones for evidentiary and criminal intelligence purposes. It was learned that forensic analyses of seized cellular telephones were done on an infrequent basis by the Internal Affairs Unit on a case-specific basis. TAG recommended that the ECDOC revise their evidence policy and require either the Internal Affairs Unit or the Intelligence Section of the Safety

facilitate information sharing, support criminal investigations, and promote officer safety. See RISS Overview - Regional Information Sharing Systems.

⁵⁰ *The benefits and difficulties regarding forensic examinations of contraband cell phones is discussed in Cell Phone Forensics in a Correctional Setting: Guideline (U.S. DOJ, National Institute of Corrections). Cell Phone Forensics in a Correctional Setting: Guidebook | National Institute of Corrections (nicic.gov)*

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and Security Unit to facilitate forensic analysis on all seized cellular telephones. It was further recommended that the results of the forensic analyses be forwarded to the Intelligence Section for intelligence purposes. ECDOC advised that their current policy was to only analyze those seized cellular telephones directly linked to a specific individual/s.

CONTRABAND MISCELLANEOUS RECOMMENDATION:

- It was recommended that a protocol be established and implemented through an appropriate SOP that would authorize CIB personnel to charge inmates criminally, when warranted. The caveat to this recommendation is that the CIB personnel preemptively receive proper criminal charging training and it is coordinated with the IAB and the established ECDOC chain of command.

CONTRABAND RECOMMENDATION STATUS:

The ECDOC has determined that all criminal charging shall be completed through the IAU.

▪ MISCELLANEOUS CONTRABAND STRATEGIES RECOMMENDED BY TAG:

Miscellaneous strategies intended to assist in addressing the introduction of contraband into the ECCF were recommended by TAG to ECDOC personnel.

- **Standardized Inmate Debriefing Protocol & Form**

We learned that the SSU routinely utilizes a standardized Intelligence Interview Form for the debriefing of individuals at the ECCF for investigative and intelligence purposes. Once completed, the data from the forms are entered into the intelligence function database for tracking and future retrieval. Documentation at the time of this report was pending.

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- **Naloxone/Narcan Tracking:**

It was recommended that all administrations of Naloxone/Narcan be centrally tracked and all inmates who overdoses be debriefed for contraband-related criminal intelligence. It was further recommended that all debriefings be documented and processed, even in the event of an inmate refusing to cooperate.

It was determined that the ECDOC currently tracks all Naloxone/Narcan administration using Narcan Tracking and Narcan Deployment Sheets, pursuant to the provisions of ECDOC SOP No. PS.ADM.050. Both are maintained by the Training Division. The ECDOC reported (2) administrations for 2023 YTD.⁵¹ No documentation of the debriefing of any inmates who had been administered Naloxone/Narcan was available.

- **Upgrading of Inmate Telephone Monitoring Technology**

It was recommended that the ECDOC upgrade their existing lawful monitoring of inmate telephone conversations and tablet communications to enhance their criminal information gathering capabilities. This would assist in promoting facility safety and security, as well as potentially aiding in the investigation of pending criminal activities. It was recommended that the ECDOC seek the acquisition of proprietary technology that would allow for the real time analysis of inmate communications (telephone and tablet) that would alert ECDOC personnel of pre-programmed “flags” of potential concern.⁵²

The ECDOC currently has a sophisticated inmate telephone monitoring system, with a myriad of monitoring, recall/search, and investigative capabilities, specifically the ViaPath GTL V-Track

⁵¹ Current as of September 18, 2023. One administration was for an inmate who did not survive and one was a successful administration to a Correctional Police Officer who was accidentally exposed via an inmate’s personal property.

⁵² See National Institute of Corrections, *Technology in Corrections*. [Technology In Corrections | National Institute of Corrections \(nicic.gov\)](https://www.nicic.gov/Technology-In-Corrections).

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system. Additionally, the ECDOC has the technology capabilities to conduct historic inquiries on the inmate tablets issued to them by the ECDOC.

- **One Employee Entrance**

To address the potential introduction of contraband into the ECCF, TAG recommended that the employee entrances be reduced to preferably one (1) point of entry, also recommended in the recent NIC Report. On May 2, 2024, we received Director's Memo # 2024-22 to all ECDOC staff directing the implementation of a single point of entry into the ECCF for all employees, vendors, and contracted employees, effective June 1, 2024.

To help mitigate the introduction of contraband into the ECCF, TAG recommends that, with the reduction to one point of entry, scrutiny of all personnel entering the facility, to include sworn and civilian employees, vendors, and contracted employees be enhanced to include the proper screening of all property in possession of the personnel (i.e., bags; tools and equipment; food and beverages; extra clothing; cellular telephones; etc.). This recommendation is applicable to the single point of entry, as well as the facility's delivery area.

- **Weekly Analysis Reports of Seizures:**

TAG recommended that, as part of the weekly CorrStat reports, expanded details of contraband seizures be included, to include:

- Day of week and time of day;
- Location;
- Type/Amount; and

Effective March 1, 2024, the ECDOC revised its weekly CorrStat report to include an enhanced reporting of weekly contraband seizures. This enhanced report detailed contraband seizures along with a comparative analysis of seizures by week, month, and year to date. Additionally,

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additional pages were included that clearly delineate, in chart format, the amounts of specific contraband seized as well as what building the seizures occurred in broken down by seizure type. The data is further supported with annual year-to-date comparative analyses for each contraband type and for each building. These data-specific reports would potentially assist both the ECDOC executive staff and Internal Affairs Unit personnel with critical insight as to how contraband is entering the ECCF. TAG recognizes these reports as a crucial step in countering the illicit introduction of contraband into the facility.

- **Reviewing of Security Camera Footage by Internal Affairs Unit & Compliance Unit**

The ECDOC advised that ECCF security camera footage was purportedly reviewed by both the Internal Affairs Unit and the Compliance Unit, depending on circumstances involved. Reviews by the Internal Affairs Unit are primarily reactive to specific ongoing investigations. Conversely, reviews of security camera footage by the Compliance Unit are exclusively proactive in an ongoing effort to ensure compliance of ECDOC personnel with agency rules, regulations, and policies. These are conducted randomly. However, it is important to note that documentation delineating review of ECCF security camera footage by Compliance Unit personnel was still pending at the time of this report.

VII. TRAINING

The ECDOC training Unit was reviewed during the initial assessment. Listed below are the initial findings and recommendations, along with the status of the remediation of those findings.

- **REMEDATION OF CRITICAL FINDINGS:**
- ***TRAINING CRITICAL FINDING: During the initial assessment, a critical finding was that the Training Unit conducted a significant number of training sessions annually for more than***

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700 employees, with some of the training mandated by statute, Attorney General Directives and Guidelines, and ACA accreditation standards, which have increased in recent years and was understaffed.

During that assessment, the Training Unit was comprised of [REDACTED] Captain in command of the Unit, as well as [REDACTED] full-time instructors. The Unit is currently comprised of [REDACTED] commanding Captain, [REDACTED] Lieutenant, [REDACTED] Sergeant (assigned full-time to the Essex County Police Academy), and [REDACTED] Officers on a full-time basis, with [REDACTED] Sergeant and [REDACTED] Officers serving as adjunct training staff.⁵³ Method of Instruction (MOI) training certifications were provided for all but one of the training staff.

Consideration should be given towards increasing full-time instructor staffing, as well as civilianization of the training staff to commit more CPOs to duties restricted to sworn personnel.

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- ***TRAINING CRITICAL FINDING: Another critical finding from the initial assessment was that although some of the Training Unit's training files were computerized and well-detailed, they were found not to be centralized, correlated, or easily cross-referenced thereby requiring the user to search multiple individual record folders, which was time consuming and counterproductive.***

ECDOC indicated that some of the training they provide to their staff was facilitated through the State of New Jersey's Acadis computerized system. Acadis is a proprietary web-based portal that provides online courses for criminal justice training. From an in-house perspective of ECDOC training documents, ECDOC indicated that they were in the process of soliciting

⁵³ Current as of February 2024. NOTE: Two of the full-time Officers assigned have primary duties focused on policy & procedures management).

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vendors to facilitate an in-house centralized computer database for the Training Unit, which was currently pending at the time of this report.

▪ **REMEDiation OF MISCELLANEOUS FINDINGS & RECOMMENDATIONS:**

During the initial assessment of the ECCF, various miscellaneous recommendations were offered to the ECDOC to assist in remediation of areas of concern. With specific reference to the training function, the following recommendations were made. Immediately following each recommendation, the status of the recommendation will be detailed.

TRAINING MISCELLANEOUS RECOMMENDATION:

It was initially recommended that the Training Unit be reorganized under the Internal Affairs Bureau.

TRAINING RECOMMENDATION STATUS:

After review and consideration, the ECDOC had decided that the Training Unit shall remain in the Training Bureau. It was determined that the Training Unit would be most effective in its present organizational placement.

TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended initially that the ECDOC develop an annual training program for supervisory and senior managerial personnel to keep them apprised of the best practices in their profession and supervisory/leadership skills on an ongoing basis, in accordance with ECDOC Training SOP and N.J.A.C.10A:31-5.3(d). It was further recommended that a minimum training standard for all

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supervisory personnel, dependent on rank and assignment, and monitoring protocols to ensure compliance be developed.

TRAINING RECOMMENDATION STATUS:

The ECDOC provided training syllabuses for Captain, Lieutenant, and Sergeant ranks, respectively. The syllabuses reflected ten-day training programs for Sergeants and Lieutenants and a five-day training program for Captains. The training programs were found to be comprehensive with diverse supervisory topics, to include:

- Organizational mission and vision.
- Transformational leadership.
- Professionalism and ethics.
- Role of the Supervisor.
- Styles of leadership.
- Incident command.
- Crime scene management.
- Counseling and discipline.
- Conflict management.
- Sexual harassment.
- Diversity and sensitivity.
- Oath of office.

The training program also included several days of on-the-job training, length varying by rank. The resources for the various training topics included policies, video, handouts, standards, PowerPoint and web-based presentations, and testing. Additionally, documentation was received reflecting the ECDOC Training Unit coordinating the scheduling of Leadership in a Corrections Environment programs for April of 2024. Lastly, The Ambrose Group has provided supervisory and leadership lectures to ECDOC supervisory personnel of all ranks in 2023 and 2024.

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TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that an ECDOC annual report be submitted.

TRAINING RECOMMENDATION STATUS:

Although it was recommended that the ECDOC Training Unit produce annual reports reflective of the unit's activities for the year, it was determined that annual reporting was not yet implemented.⁵⁴

TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that the ECDOC Director issue a directive that any delinquency in attending training may result in disciplinary action.

TRAINING RECOMMENDATION STATUS:

Documentation was received in the form of Administrative Directive No. 23-39 from ECDOC Director Charles dated August 25, 2023 to all ECDOC sworn personnel concerning training delinquency may result in disciplinary action.

TRAINING MISCELLANEOUS RECOMMENDATION:

To understand if training is relevant to the tasks required by the rank and file, it was recommended that there to be a written process of evaluation of training courses provided.⁵⁵

⁵⁴ Recommended in Sheriff's Guide to Effective Jail Operations, U.S. Department of Justice, National Institute of Corrections.

⁵⁵ Recommendation in Sheriff's Guide to Effective Jail Operations, Chapter 6, U.S. Department of Justice, National Institute of Corrections.

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TRAINING RECOMMENDATION STATUS:

Currently, the ECDOC does not have a mechanism in place to evaluate the relevance of training provided through a written evaluation process.

TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that the Training Unit conform to Attorney General Law Enforcement Directive 2021-7 concerning the providing of Integrating Communication, Assessment, and Tactics (ICAT) and Active Bystandership for Law Enforcement (ABLE) training.

TRAINING RECOMMENDATION STATUS:

The ECDOC provided ICAT and ABLE Training Roster / Sign-In Forms for 2022 training. Additionally, they provided Quarterly In-Service Training Matrices for 2023 that reflected ICAT and ABLE training listed for the first quarter of the year. De-escalation techniques are included in ICAT training.

TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that the Training Unit conform to Attorney General Law Enforcement Directive 2021-7 and Attorney General Mandatory In-Service Law Enforcement Training Guideline concerning Vehicular Pursuit training as soon as possible, with special emphasis for prisoner transportation personnel.

TRAINING RECOMMENDATION STATUS:

The ECDOC provided documentation that the agency has modified its training curriculum to include review of Transportation of Inmates SOP (PS.CUS.005) and Hospital Transportation of Inmates training, as indicated in ECDOC quarterly in-service training master and individual attendance forms.

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TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that all ECDOC CERT members receive the prescribed 4-hour in-service training block each quarter, so as comply with the provisions of the ECDOC CERT SOP.

TRAINING RECOMMENDATION STATUS:

The ECDOC provided documentation that, in December of 2023, two (2) 6-hour blocks of instruction were provided to a total of (37) attendees for CERT Training. A total of (6) Superior Officer instructors provided instruction in the following areas:

- Policy reviews (Use of Force; Pepperball; Less Lethal Launcher).
- Pepperball/FN 3030 Certification/Re-certification (written & practical test).
- Bleeding Control/IPOK issuance.
- Dynamic entry.
- Mobile force field.
- Secondary O.C. exposure.
- Distraction Devices.
- Deployable O.C. devices.
- Escort & takedown techniques.

TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that orientation training for new employees (supervised contact) be modified from every two (2) months to a more frequent time frame, so as help ensure all personnel receive the proper training mandated by statute in a timely manner.⁵⁶

⁵⁶ See N.J.A.C. 10A:31-5.3.

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TRAINING RECOMMENDATION STATUS:

Documentation was received from the ECDOC that reflected monthly scheduling of civilian new hire orientation training.

TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that the “supervised contact” new employee orientation training be modified to include “organizational structure” and “programs.”⁵⁷

TRAINING RECOMMENDATION STATUS:

A review of the ECDOC training matrix for civilian (supervised contact) training revealed that “organizational structure” was definitively listed as a training topic in one of the first training blocks provided. Additionally, although not specifically listed as “programs,” numerous programs and services offered at the ECCF were listed. These included:

- Inmate Suicide Prevention;
- Intervention Awareness;
- Inmates Rights;
- Inmate Grievance Procedures;
- Special Needs Inmates; and
- Administrative Directives.

The ECDOC provided a copy of their brochure delineating the various inmate programs offered at the ECCF. These included the following:

⁵⁷ *Ibid.*

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- OSHA & Construction Training.
- Culinary Program.
- Substances Abuse Program.
- Yoga/Meditation Program.
- First Aid/CPR Training.
- Social Services Programs, to include:
 - Referral Services.
 - Notary Services.
 - Limited Legal Services.
 - Family Services.
 - Rehabilitation Services.
 - Limited Post-Release Services.
 - Group Therapy.
 - Discharge Planning.
 - GED Testing Testing/Educational Services.
 - Voter Registration.
 - Screening for Rehabilitative Programs as Alternative to Incarceration & Advocacy.
 - Ombudsmen & Case Managers.
- P.A.T.C.H. Program (Child Visitation).
- Project Reconnect.
- Life Skills Programs:
 - Substance Abuse.
 - Anger Management.
 - Narcotics Anonymous.
 - Women Empowering Women.
 - Parenting Skills.
 - English as a Second Language (ESL).
 - Trauma.
 - Job Readiness.
 - Exploring Roots Through Art.
 - Financial Literacy.
- Recreation Services.
- Mental Health Transitional Care Unit.
- Religious Services.



COMING TOGETHER IS A BEGINNING.
KEEPING TOGETHER IS PROGRESS.
WORKING TOGETHER IS SUCCESS.
HENRY FORD



Joseph N. DiVincenzo, Jr., Essex County Executive
The Board of County Commissioners
Ronald L. Charles, Director, Corrections
Regina Marrow, Deputy Director, Corrections

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TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that lesson plans for new sworn officer training be modified to include ECCF programs.⁵⁸

TRAINING RECOMMENDATION STATUS:

A review of the current Officer's Orientation Program lesson plan reflected that various inmate programs training topics were listed (i.e., suicide prevention and intervention; medical/dental/health services; inmate workers; inmate law library; mental health; and inmate grievances.

TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that the civilian in-service training master schedule and lesson plan be modified to include "problem-solving and guidance," to comport with the provisions of N.J.A.C. 10A:31-5.3.⁵⁹

TRAINING RECOMMENDATION STATUS:

To date, this recommendation has not been instituted.

TRAINING MISCELLANEOUS RECOMMENDATION:

It was recommended that, pursuant to Attorney General Directives and Guidelines, firearms requalification be conducted twice each calendar year.

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

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TRAINING RECOMMENDATION STATUS:

Although biannual firearms requalification is recommended, the N.J. Police Training Commission indicated that although biannual firearms requalification was required and preferable under Attorney General policy, agencies that follow the N.J. Department of Corrections model of requalifying only once a year, pursuant to N.J.A.C. Title 10A, may continue to do so.⁶⁰ This was conveyed to the ECDOC Director for his consideration.

VIII. USE OF FORCE:

The following Critical Findings were noted during the initial assessment of the ECCF, with specific reference to the Use of Force (UOF) by ECDOC personnel. The status of remediation of the Critical Findings is also delineated.

■ REMEDIATION OF CRITICAL FINDINGS:

UOF CRITICAL FINDING: During the course of this assessment, it was determined that there were a significant number of blind spots in the ECCF's security camera system. This is an area of concern as it directly impacts on the safety of ECCF staff and inmates alike; the review and investigation of use of force incidents; and in the counter-contraband efforts by the ECDOC.

This was favorably addressed in a Contraband Critical Finding.

UOF CRITICAL FINDING: It was learned that any staff present in the Officers Dining Room (ODR) have access to their cell phones, cigarettes, and other items considered contraband within the

⁶⁰ See N.J.A.C. 10A:31-5.3. Section 10A:31-5.3 - Orientation and training for employees, N.J. Admin. Code § 10A:31-5.3 | Casetext Search + Citator & N.J.S.A. 2C:39-6a11. New Jersey Revised Statutes Section 2C:39-6 (2022) - Exemptions. :: 2022 New Jersey Revised Statutes :: US Codes and Statutes :: US Law :: Justia .

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secure perimeter of ECCF. Those present in the ODR at the time of an emergency incident (coded alarm) are deployed as the very first responders to that incident. At the outset of this response and because of the nature of the alarm, they do not undergo normal search requirements. This presents significant risks to the ECCF should those items fall into the hands of the inmates.

On February 6, 2024, the ECDOC issued Memorandum No. W24-0089 directing that only personnel specified in the memorandum were authorized to enter the secured perimeter of the ECCF with cellular telephones. The memorandum was issued to all ECDOC personnel and was further to be posted at ECCF security checkpoints. [Documented].

UOF CRITICAL FINDING: The ECCF is not using the NJOAG Use of Force reporting portal. The ECCF should be using the NJOAG Use of Force reporting portal managed by 'Benchmark Analytics' for the reporting of use of force incidents. The NJOAG use of force tracking goals are incomplete without Correctional Facilities in NJ reporting their use of force via the state's portal. The use of the NJ Attorney General's Use of Force Reporting Portal will ensure that the ECCF is collecting all the necessary information for the analysis of use of force incidents.

CRITICAL FINDING REMEDIATION STATUS:

Upon a comprehensive review of the Attorney General *Use of Force Reporting Guide* (Updated January 2022), Use of Force by Correctional Police Officers was specifically addressed.⁶¹ The guide specifically stated,

*"Correctional Police Officers using force inside a Correctional Facility should **not** use this portal to submit a use of force report. Correctional Police Officers using force outside of their facility **MUST** use this portal to report a use of force. For force incidents inside the Correctional Facility, please follow current policies of reporting force currently in place by your agency."* (Emphasis added).

⁶¹ See NJOAG, *Use of Force Reporting Guide*, p. 3. [Use-of-Force-Reporting-Portal-Guide.pdf \(nj.gov\)](#).

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UOF CRITICAL FINDING: The ECCF is not reporting annually to the Essex County Prosecutor's Office and Division of Criminal Justice use of force information required by both the 2000 and the revised 2020 NJOAG Use of Force policies.⁶²

CRITICAL FINDING REMEDIATION STATUS:

An inquiry was made with the Professional Standards Bureau of the Essex County Prosecutor's Office and it was determined that the ECDOC had properly reported to that Office as required. The ECDOC had submitted all required documentation for CY2022 and had already submitted required statistical data for CY2023 but the actual UOF reports were still pending.

CRITICAL FINDING: The ECCF does not have a Records Management System (RMS) and should procure the system.

UOF Reporting Review Recommendation: *Records Management System*. The RMS will help ensure, but not limited to:

- Reduce errors caused by duplicative processes;
- Confidentiality;
- Prevent loss or misplacement of documents;
- Ease accessibility;
- Preserve the Integrity of reports;
- Reduce the use of paper;
- Allow for chain of command review;
- Allow for analysis of workflow, incidents, etc. ; and
- Help reduce the number of silo databases.

⁶² See Attorney General Use of Force Policy (Revised December 2020), §7.6 and 7.7. [ag-Directive-2020-13 Use of Force Procedures.pdf \(nj.gov\)](#).

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CRITICAL FINDING REMEDIATION STATUS:

As delineated elsewhere in this report, the ECDOC does not have a facility-wide RMS system. Documentation of interaction with potential vendors was pending at the time of this report.

■ REMEDIATION OF MISCELLANEOUS UOF RECOMMENDATIONS:

UOF REPORTING RECOMMENDATION: The ECCF should create and implement a "Force Investigations Unit" to investigate any Use of Force by a CPO, as well as any serious injury sustained by a CPO and/or an inmate as the result of an act of violence. Use of Force incidents should be investigated within 24 hours of the incident, while incidents resulting in serious injury should be investigated immediately.

It is further recommended that the ECDOC create a Use of Force Review Committee to review all Use of Force incidents, to include reports and security camera footage. The committee should be comprised of the ECDOC Director, or designee, the ECCF Warden, or designee, the Director of the Professional Standards Bureau, and any other persons deemed necessary by the ECDOC Director. The intent is to reduce not only Use of Force incidents in general, but also acts of violence by inmates on CPOs and on other inmates. It is further recommended that the Unit coordinate their investigations with applicable outside agencies (i.e., the Essex County Prosecutor's Office).

UOF RECOMMENDATION STATUS:

The ECDOC advised that a Use of Force (UOF) Committee, consisting of [REDACTED] superior officers, specifically a Captain and usually a Lieutenant, review all UOF incidents to ensure adherence to ECDOC SOPs, Attorney General Directives, and laws. All investigations of potential UOF violations are investigated by the ECDOC Internal Affairs Unit, with coordination with the Essex County Prosecutor's Office, Professional Standards Bureau.

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TAG audited several UOF reviews, to include immediate and calculated UOF, and the followings findings were noted:

- The reviews were conducted pursuant to checklists.
- The UOF incident reviews were well documented with relevant reports and forms.
- The reviews were **not** conducted in a timely manner, sometimes months after the incident.
- Review date was **not** listed on occasion.
- UOF Committee members indicated that part of the delay is the lack of computer memory to store the accompanying video, which consumes large amounts of memory.
- Completed UOF review forms, completed by the ECDOC Director or Deputy Director along with their findings, should be forwarded back to the committee member for inclusion in the permanent digital file.
- Critiques of actions of involved personnel were made on occasion, to include retraining in UOF and de-escalation.
- Several UOF incidents were referred to the Internal Affairs Unit for further investigation.

Accordingly, the following recommendations are offered:

- The UOF reviews must be conducted by the UOF Committee in a timelier manner.
- Enhanced system memory should be acquired for permanent storage and retrieval.
- External hard drives should be purchased and assigned to UOF Committee members for temporary storage.
- All reviews must be properly and fully documented.

UOF REPORTING REVIEW RECOMMENDATION: Officers need to articulate in their reports whether they used de-escalation tactics, the type of de-escalation tactic used, whether it was effective or not, and if not used, why not?

UOF RECOMMENDATION STATUS:

A review of the ECDOC Use of Force SOP (PS.CUS.001) revealed specific language directing the utilization of de-escalation techniques to avoid the use of force at various sections throughout the policy. Specifically, Section III.G states,

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*“Force shall only be used as a last resort when necessary to accomplish a lawful objective that cannot reasonably be achieved through verbal commands, critical decision making, tactical deployment, or **de-escalation techniques**.” [emphasis added].*

Additionally, the SOP delineated de-escalation training in each Officers annual use of force training. The ECDOC provided a copy of the Use of Force training PowerPoint presentation provided to all Officers during their annual training. This training included employing de-escalation techniques (verbal commands) prior to use of force, if appropriate. It was further recommended that the ECDOC Training Unit modify its use of force training to include in use of force and incident reports if de-escalation techniques were attempted or employed and their outcomes. [Documented] Lastly, the ECDOC indicated that they would be developing a new “De-escalation” form to ensure the de-escalation details were properly documented. This point was still pending at the time of this report.⁶³

IX. DELANEY HALL

During the initial assessment, several areas of concern were documented at Delaney Hall, a privately run ancillary facility situated geographically adjacent to the ECCF. Delaney Hall housed select inmates. In December of 2023, the County of Essex did not renew the contract and effective January 1, 2024, the ECDOC stopped housing inmates at that facility. Accordingly, remediation aspects were not delineated in this current report.

⁶³ As of February 2024.

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CONCLUSION

The Ambrose Group, working closely with Essex County Department of Corrections Director Charles and his dedicated staff, were able to document the remediation of various areas of concern identified in the initial assessment of the Essex County Correctional Facility. The Ambrose Group further assisted the Director and his executive staff through various supporting activities, including mentoring and coaching, reference and resource referrals, leadership lectures, and peer support.

The Essex County Department of Corrections should take pride in their efforts to remediate the stated areas of concern. Both independently, and with the assistance of The Ambrose Group, they were not only able to remediate most of the identified areas of concern but also initiated several major changes of their own volition.

The Essex County Department of Corrections staff were extremely helpful and supporting our requirements to accurately document all remediation and self-initiated actions. Significant remediation activities included Administration; Internal Affairs; Training; Contraband; Use of Force; Intake, Classification, and Housing; and Medical. Additionally, self-initiated activities included a reorganization of the executive staff; adjustments to staffing and scheduling; revisions to policies; and the proactive requesting of an assessment by the National Institute of Corrections (NIC).⁶⁴

During the remediation process, TAG was informed by the ECDOC Director that, subsequent to a comprehensive analysis, an inordinate amount of absenteeism occurs daily and is more prevalent on weekends and holidays. This, in turn, creates staffing issues resulting in mandatory overtime. Absenteeism is comprised of personnel that are on daily and long-term sick leaves, FLMA, vacation, etc.

⁶⁴ See Addendum A, NIC Assessment.

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TAG is recommending that the Director and the respective labor organizations at the ECCF consider the possibility of implementing a change in the work schedule to perhaps a Pitman schedule or a "4 days on / 3 days off" schedule. The designated change of schedule should be a pilot program for a minimum of ninety days to fully evaluate its effectiveness. The Director should conduct thirty-day assessments during the pilot program to determine any reduction in sick time, as well as any increase in performance.

The intent of the suggested modification in scheduling is to potentially alleviate sick time issues, while allowing personnel to have rotating weekends or weekend days off, resulting in favorable morale. Additionally, personal input from the affected personnel should be actively sought by the ECDOC administration. NOTE: The personnel shall work the same yearly amount outlined in their respective bargaining agreements.

Although the majority of the critical findings delineated in the initial assessment were successfully remediated, several more were still pending at the time this report was prepared, along with several ancillary findings and recommendations. Accordingly, The Ambrose Group stands ready to continue to assist the Essex County Department of Corrections with its remediation process, which the Director has indicated was extremely helpful and which yielded positive results.

The Ambrose Group would like to extend our gratitude to Director Charles and his entire staff for the courtesies and assistance extended to us during this extended project.

Prepared by The Ambrose Group, LLC

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The Ambrose Group, LLC

Report Completed on : July 22, 2024

Name of Client: County of Essex

Name of Project: Remediation &
Mentoring of Essex County Correctional
Facility

Name: THE AMBROSE GROUP LLC