

Student's Guide

* Content Last Revised: October 2003

NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS



New Jersey Fire Police

Basic Training Course



Department of Community Affairs
Joseph V. Doria, Jr.
Commissioner



State of New Jersey
Jon S. Corzine
Governor



Division of Fire Safety
Lawrence Petrillo
State Fire Marshal

PREFACE

THIS COURSE WAS DERIVED FROM THE BURLINGTON COUNTY FIRE POLICE ASSOCIATION'S RECRUIT FIRE POLICE TRAINING PROGRAM.

DEVELOPED IN 1991 AND FIRST OFFERED IN 1992, THE BURLINGTON COUNTY COURSE SOON BECAME A SOUGHT AFTER COURSE THROUGHOUT THE STATE. IN 1994, THE DIVISION OF FIRE SAFETY IN CONJUNCTION WITH THE BURLINGTON COUNTY FIRE POLICE ASSOCIATION REVISED THIS COURSE WITH THE INTENTION OF MAKING IT AVAILABLE STATE-WIDE. ENDORSED BY THE TRAINING AND EDUCATION ADVISORY COUNCIL, THE NEW JERSEY FIRE SAFETY COMMISSION, AND THE NEW JERSEY STATE FIRE POLICE ASSOCIATION, THIS COURSE WILL NOW SERVE AS THE STATE RECOGNIZED FIRE POLICE RECRUIT TRAINING PROGRAM.

THIS COURSE WOULD NOT BE A REALITY IF IT WERE NOT FOR THE INITIATIVE OF THE MEN AND WOMEN OF THE BURLINGTON COUNTY FIRE POLICE ASSOCIATION ALONG WITH THE HELP OF THE COUNTY OFFICES OF PUBLIC SAFETY AND EMERGENCY MANAGEMENT, THE BURLINGTON COUNTY POLICE ACADEMY, AND THE MEDFORD AND WILLINGBORO TOWNSHIP POLICE DEPARTMENTS.

THE FOLLOWING INDIVIDUALS DESERVE SPECIAL RECOGNITION:

PEG STINGER, PRESIDENT, NEW JERSEY STATE FIRE POLICE ASSOCIATION
RON PAGLIONE, PAST PRESIDENT, BURLINGTON COUNTY FIRE POLICE ASSOCIATION

EDMOND TINUCCI, CHIEF INSTRUCTOR, BURLINGTON COUNTY FIRE POLICE ASSOCIATION

HENRY VAN BRUNT, BURLINGTON COUNTY PUBLIC SAFETY DIRECTOR (RETIRED)

BURLINGTON COUNTY FIRE MARSHAL'S OFFICE

WILLIAM ROWLEY, BURLINGTON COUNTY EMERGENCY MANAGEMENT COORDINATOR

WILLIAM PAINTER, CHIEF INSTRUCTOR, BURLINGTON COUNTY POLICE ACADEMY & WILLINGBORO POLICE DEPARTMENT (RETIRED)

HOWARD BLACK, MEDFORD TOWNSHIP POLICE DEPARTMENT

THE DIVISION OF FIRE SAFETY THANKS THESE INDIVIDUALS FOR LAYING THE FOUNDATION FOR THIS COURSE.

TABLE OF CONTENTS

MODULE 1 - COURSE INTRODUCTION.....	MODULE 1-1
MODULE 2 - NOTE TAKING.....	MODULE 2-1
MODULE 3 - INCIDENT COMMAND SYSTEM.....	MODULE 3-1
MODULE 4 - DEMEANOR.....	MODULE 4-1
MODULE 5 - HISTORY, LAW & DUTIES.....	MODULE 5-1
MODULE 6 - INVESTIGATIONS.....	MODULE 6-1
MODULE 7 - ARREST.....	MODULE 7-1
MODULE 8 - ENFORCEMENT POWERS.....	MODULE 8-1
MODULE 9 - COURTS.....	MODULE 9-1
MODULE 10 - RECOMMENDED PROTECTIVE CLOTHING.....	MODULE 10-1
MODULE 11 - MOTOR VEHICLE & RED/BLUE LIGHT LAWS.....	MODULE 11-1
MODULE 12 - TRAFFIC CONTROL.....	MODULE 12-1
APPENDIX.....	APPENDIX 1
APPENDIX A - DEALING WITH PEOPLE.....	APPENDIX A-1
APPENDIX B - NEW JERSEY LAWS.....	APPENDIX B-1
APPENDIX C - OATH OF OFFICE.....	APPENDIX C-1
APPENDIX D - TRAFFIC CONTROL.....	APPENDIX D-1
APPENDIX E - PROTECTIVE CLOTHING.....	APPENDIX E-1

COURSE INTRODUCTION

EQUALLY AS IMPORTANT AS THE SERVICES PROVIDED BY THE FIREFIGHTER AT AN EMERGENCY SCENE ARE THE SERVICES OF THE FIRE POLICE. LIVES AND PROPERTY CAN BE SAVED THROUGH THE EFFICIENT AND DILIGENT COORDINATION OF WORK BY THE FIREFIGHTERS AND FIRE POLICE.

IT IS THE PURPOSE OF THIS BASIC TRAINING COURSE FOR FIRE POLICE TO PREPARE THE STUDENTS TO PERFORM EFFICIENTLY AT AN EMERGENCY SCENE.

DURING THE COURSE OF THIS PROGRAM YOU WILL BE INTRODUCED TO THE FOLLOWING:

1. THE LAWS CREATING THE FIRE POLICE.
2. LAWS THAT PERTAIN TO THE SPECIFIC DUTIES OF THE FIRE POLICE IN THE STATE OF NEW JERSEY.
3. METHODS OF ENFORCING THOSE LAWS, AS WELL AS, WAYS OF ASSISTING THE FIRE DEPARTMENT IN CONTROLLING THE EMERGENCY SCENE AND MAKING IT SAFER.

WHILE IT IS NOT THE PURPOSE OF THIS PROGRAM TO MAKE YOU A SEASONED INVESTIGATOR, OR EVEN TO ATTEMPT TO MAKE YOU A FULL-TIME POLICE OFFICER, WE WILL TRY TO GIVE YOU THE SKILLS AND THE KNOWLEDGE TO ASSIST INVESTIGATORS IN THEIR JOBS. SINCE, IN MANY CASES THE FIRE POLICE IS AT

THE SCENE BEFORE THE INVESTIGATOR ARRIVES THE FIRE POLICE CAN TAKE NOTES AND AID IN PRESERVING EVIDENCE.

WITH CUT BACKS IN MANY SERVICES INCLUDING POLICE PERSONNEL DUE TO BUDGETARY CONSTRAINTS, IT IS STILL IMPORTANT THAT THE SERVICES BE PROVIDED. THE FIRE POLICE ARE A MAJOR ASSET IN THIS AREA. THE FIRE POLICE CAN ASSIST THE POLICE IN TRAFFIC CONTROL, EVACUATIONS AND CROWD CONTROL AT MANY EMERGENCY SCENES, THUS ALLOWING THE REGULAR POLICE TO CARRY OUT OTHER IMPORTANT DUTIES.

WE REALIZE THAT THE FIRE POLICE MUST BE PROPERLY TRAINED IN EVERY FACET OF THEIR JOBS SO THINGS GO EFFICIENTLY, EFFECTIVELY AND SAFELY AT THE EMERGENCY SCENE. WE WILL COVER EVERY DUTY THAT FIRE POLICE MAY ENCOUNTER ACCORDING TO THE LAWS OF NEW JERSEY. TO OBTAIN THIS GOAL, WE HAVE ASSEMBLED AN OUTSTANDING GROUP OF INSTRUCTORS TO TEACH THIS COURSE.

COURSE OBJECTIVES

THE STUDENT SHALL:

- DESCRIBE THE PROCEDURES NECESSARY TO TAKE EFFECTIVE NOTES REGARDING AN EMERGENCY INCIDENT.
- DESCRIBE AND DEMONSTRATE THE PROPER DEMEANOR TO BE DISPLAYED BY FIRE POLICE WHEN INTERACTING WITH THE GENERAL PUBLIC.
- DESCRIBE AND DEMONSTRATE AN UNDERSTANDING OF THE HISTORY OF THE FIRE POLICE IN NEW JERSEY.
- LIST THE BASIC DUTIES OF THE FIRE POLICE.
- IDENTIFY THE STATE LAWS THAT REFER TO AND AFFECT FIRE POLICE OPERATIONS.
- LIST AND DEMONSTRATE THE PROCEDURES FOR CONDUCTING AN INVESTIGATION AT AN EMERGENCY SCENE.
- DESCRIBE THE ENFORCEMENT POWERS OF THE FIRE POLICE.
- LIST THE POWERS AND FUNCTIONS OF THE COURTS AS THEY RELATE TO FIRE POLICE.
- DESCRIBE THE PROPER PROTECTIVE CLOTHING TO BE WORN BY FIRE POLICE.
- IDENTIFY THE NEW JERSEY MOTOR VEHICLE LAWS THAT ARE PERTINENT TO THE FIRE POLICES JOB.
- DESCRIBE THE PROPER PROCEDURES USED IN TRAFFIC CONTROL AT AN EMERGENCY SCENE.
- DEFINE AND DESCRIBE THE BASIC FUNCTIONS OF THE INCIDENT COMMAND SYSTEM.

MODULE 2 - NOTE TAKING

ONE OF THE MOST IMPORTANT FACTORS IN GOOD FIRE POLICE WORK IS THE ABILITY TO GATHER INFORMATION ABOUT AN EMERGENCY SCENE AND MAKE INTELLIGENT NOTES FROM THOSE MEMORIES.

MEMORY

- ☞ AVERAGE PERSON REMEMBERS APPROXIMATELY 10 PER CENT OF WHAT THEY HEARD FOR A SHORT TIME AFTER HEARING IT.
- ☞ AVERAGE PERSON REMEMBERS APPROXIMATELY 30 PER CENT TO 50 PER CENT OF WHAT THEY HAVE ACTUALLY SEEN FOR A SHORT TIME AFTER SEEING IT.
- ☞ AVERAGE PERSON REMEMBERS APPROXIMATELY 80 PER CENT TO 90 PER CENT OF WHAT THEY HAVE ACTUALLY DONE FOR A SHORT TIME AFTER DOING IT.

TAKING NOTES

LEARNING THE PROPER WAY TO TAKE NOTES HERE WILL ENABLE YOU TO MAKE "INTELLIGENT" NOTES WHEN YOU ARE ACTIVELY ENGAGED IN FIRE POLICE ACTIVITIES.

- ☞ TAKING NOTES WILL AID YOU IN MENTALLY RETAINING THE MATERIAL FOR A FUTURE TIME.
- ☞ NOTES WILL AID YOU IN THE FOLLOWING:
 - ✓ MAKING AN ORDERLY REPORT.
 - ✓ ASSIST YOUR MEMORY IN THE EVENT YOU ARE CALLED TO TESTIFY IN COURT.
 - ✓ WILL ASSIST YOU AND THE PROSECUTOR IN THE PROSECUTION OF A CASE.

NOTE TAKING METHOD

- ✓ FOLLOW THE SPEAKER
- ✓ TRY TO KEEP ONE THOUGHT AHEAD OF THE SPEAKER AT ALL TIMES. TRY NOT TO FALL TOO FAR BEHIND
- ✓ TRY NOT TO ANTICIPATE WHAT THEY ARE GOING TO SAY.
- ✓ DO NOT CHANGE THE THOUGHT BEHIND WHAT HAS BEEN SAID.
- ✓ ATTEMPT TO GET THE MEANING OF WHAT IS BEING SAID AND THEN TAKE THE MEAT OF IT FOR THE NOTES.
- ✓ USE KEY WORDS AND EXPRESSIONS
- ✓ DO NOT USE DESCRIPTIVE MATERIAL, CONDENSE WITHOUT LOSING THE THOUGHT. **(KEEP IT SIMPLE)**
- ✓ MAKE SURE YOU COPY IN FULL:

- X ALL DEFINITIONS
- X ALL QUOTES
- X ANY SPECIAL POINTS OF INFORMATION
- ✓ TRANSCRIBE NOTES IN LONGHAND
- ✓ MAKE A NOTE OF EXAMPLES THEY CAN CLARIFY POINTS
- ✓ NOTE ANY NEGATIVE POINTS AS WELL AS POSITIVE POINTS.

OTHER IMPORTANT POINTS

- ✓ FOR IMPORTANT POINTS EITHER CAPITALIZE OR UNDERLINE.
- ✓ LEAVE A MARGIN TO ALLOW FOR ANY OMISSIONS, ADDITIONS OR REFERENCES.
- ✓ DOUBLE CHECK ANY STATISTICS USED.
- ✓ ALWAYS REVIEW THE NOTES AFTER WRITING THEM.
- ✓ LAYOUT FOR NOTE TAKING
- ✓ USE AN OUTLINE FORMAT
- ✓ TYPICAL FORM WOULD BE:
 - X MAIN SUBJECT HEADING
 - X MAIN SUB-HEADING
 - X ADDITIONAL SUB-HEADINGS

EXAMPLE OF NOTE TAKING OUTLINE

- | |
|--|
| <ul style="list-style-type: none">A. MAJOR HEADING<ul style="list-style-type: none">1. MAIN SUB-HEADING<ul style="list-style-type: none">a. SUB-HEADINGb. SUB-HEADING |
|--|

MODULE 3 - INCIDENT COMMAND SYSTEM

INTRODUCTION

IN ORDER FOR THIS SYSTEM TO WORK, ALL AGENCIES INVOLVED MUST UNDERSTAND AND BE ABLE TO WORK WITHIN THE FRAME WORK OF THE SYSTEM. THIS INCLUDES FIRE, POLICE, EMERGENCY MANAGEMENT, EMERGENCY MEDICAL.

WE KNOW OF THE IMPORTANCE OF THE WORK PERFORMED BY THE FIRE POLICE AT AN EMERGENCY. IN THIS LESSON WE WILL INTRODUCE THE FIRE POLICE OFFICER TO THE ESSENTIALS OF THE INCIDENT COMMAND SYSTEM, AND EXPLAIN WHERE THE FIRE POLICE FIT INTO THE OVERALL PICTURE. WE WILL ALSO EXPLAIN HOW AN INCIDENT COMMAND SYSTEM CAN BE USED FOR THE OPERATIONS OF THE FIRE POLICE.

INCIDENT COMMAND SYSTEM BACKGROUND

- ✓ IT IS AN EMERGENCY MANAGEMENT SYSTEM.
- ✓ APPLIES SAME PRINCIPLES TO EMERGENCY MANAGEMENT THAT ARE USED IN BUSINESS.
- ✓ ORIGINALLY DEVELOPED IN CALIFORNIA TO HANDLE MAJOR BRUSH FIRES DURING THE 1970'S.
- ✓ DESIGNED SO MULTIPLE AGENCIES AND DEPARTMENTS CAN WORK EFFECTIVELY IN IT.
- ✓ THE INCIDENT COMMAND SYSTEM PROVIDES:
 - ACCOUNTABILITY
 - FIREFIGHTER SAFETY
 - SPAN OF CONTROL
 - UNIFIED COMMAND
 - UNITY OF COMMAND
- ✓ PROVIDES THE INCIDENT COMMANDER WITH A LOGICAL PATH TO HANDLE AN EMERGENCY.
- ✓ PROVIDES A COMMAND SEQUENCE TO FOLLOW:
- ✓ INCIDENT PRIORITIES
 - LIFE SAFETY
 - INCIDENT STABILIZATION (FIRE CONTROL)
 - PROPERTY CONSERVATION
- ✓ IT PROVIDES A MEANS TO SIZE UP THE SITUATION BASED ON CERTAIN INFORMATION RECEIVED PRIOR TO INCIDENT AND DURING THE INCIDENT.
- ✓ GOALS AND OBJECTIVES
 - SAME AS TACTICS AND STRATEGIES
 - BASED ON INCIDENTS PRIORITIES, SIZE-UP
 - GOALS ARE STRATEGIES AND TELLS WHAT NEEDS TO BE DONE
 - OBJECTIVES ARE TACTICS AND DETERMINES HOW IT WILL BE DONE AND BY WHO.

- ✓ THE INCIDENT COMMAND SYSTEM PROVIDES THE INCIDENT COMMANDER WITH A TOOL BOX OF RESOURCES THAT HE OR SHE CAN USE AT THE INCIDENT.
- ✓ THE SYSTEM CAN EXPAND OR SHRINK AS THE INCIDENT DICTATES.

INCIDENT COMMAND SYSTEM TERMINOLOGY

INCIDENT COMMAND SYSTEM IS DIVIDED INTO FIVE (5) FUNCTIONAL AREAS.

COMMAND

HAS OVERALL RESPONSIBILITY FOR THE INCIDENT
ESTABLISHES GOALS AND OBJECTIVES THAT NEED TO BE ACCOMPLISHED
IT CAN HAVE THREE (3) STAFF POSITIONS:
SAFETY
PUBLIC INFORMATION
LIAISON

OPERATIONS

FUNCTIONAL AREA THAT IS RESPONSIBLE FOR ALL TACTICAL OPERATIONS THAT ARE NEEDED TO MEET THE GOALS AND OBJECTIVES.
OPERATIONS SUPERVISOR IS ANSWERABLE TO THE INCIDENT COMMANDER
OPERATIONS CAN BE BROKEN DOWN INTO:
DIVISIONS - RESOURCES OPERATING IN A GEOGRAPHICAL AREA.
GROUPS - RESOURCES OPERATING IN A FUNCTIONAL AREA (SEARCH, VENT)
STAGING.
WHERE AVAILABLE RESOURCES ARE KEPT UNTIL NEEDED.
ALLOWS ACCOUNTABILITY OF RESOURCES.

PLANNING

FUNCTIONAL AREA THAT IS RESPONSIBLE FOR THE GATHERING AND ASSIMILATION OF INFORMATION THAT IS USED TO AID IN MEETING THE GOALS AND OBJECTIVES.
IS ANSWERABLE TO THE INCIDENT COMMANDER.

LOGISTICS

FUNCTIONAL AREA RESPONSIBLE FOR PROVIDING SUPPORT FACILITIES AND SERVICES (FOOD, FUEL, MAINTENANCE).
IS ANSWERABLE TO THE INCIDENT COMMANDER.

FINANCE

FUNCTIONAL AREA RESPONSIBLE FOR ALL FINANCIAL ASPECTS OF THE INCIDENT.

WHILE THE INCIDENT COMMAND SYSTEM SEEMS LARGE AND INTIMIDATING, IT IS NOT

- ✓ YOU NEED ONLY USE THE RESOURCE TOOLS OR FUNCTIONAL AREAS YOU NEED TO ACCOMPLISH THE GOALS AND OBJECTIVES.
- ✓ AS THE INCIDENT GROWS SO DOES THE RESOURCE TOOLS YOU NEED.
- ✓ AS THE INCIDENT SHRINKS ,SO DOES THE RESOURCE TOOLS YOU NEED.

**AS MENTIONED BEFORE EVERYONE SHOULD KNOW THE WORKINGS OF THE
COMMAND SYSTEM AND WHAT THEIR PLACE IS IN IT.**

SUMMARY OF BENEFITS OF INCIDENT COMMAND SYSTEM

- ✓ WORKS ON EVERY TYPE OF INCIDENT
- ✓ PROVIDES UNITY OF COMMAND
- ✓ ESTABLISHES CLEAR LINES OF COMMUNICATIONS
- ✓ MINIMIZES FREE LANCE FIRE FIGHTING
- ✓ ALLOWS FOR MULTIPLE AGENCY RESPONSE THAT IS UNDERSTOOD BY ALL
- ✓ SYSTEM CAN BE EXPANDED AS NEEDED
- ✓ BETTER UTILIZATION OF RESOURCES
- ✓ ENHANCES SAFETY OF PERSONNEL

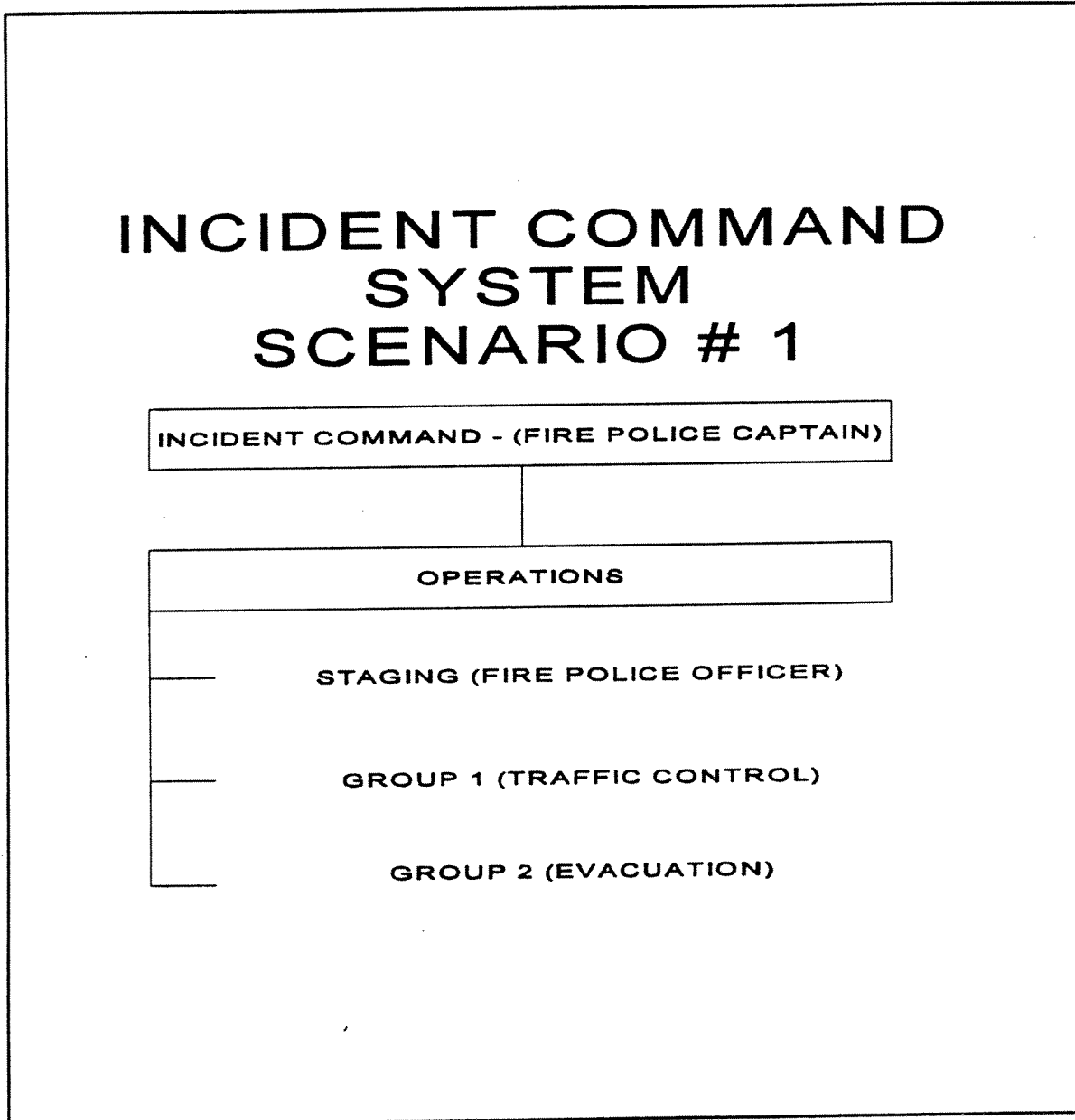


Figure 1 - ICS SCENARIO 1

INCIDENT COMMAND SYSTEM SCENARIO # 2

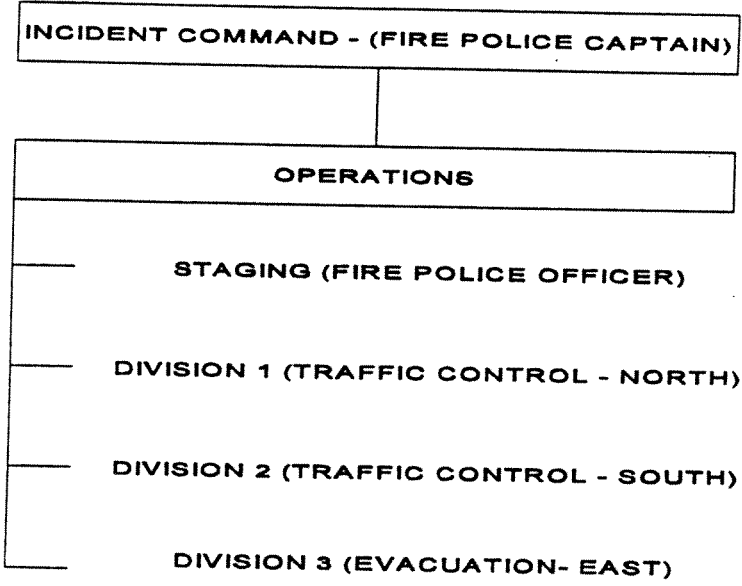


Figure 2 - ICS SCENARIO 2

FIRE POLICE & INCIDENT COMMAND SYSTEM

THE FIRE POLICE, LIKE MANY OTHER EMERGENCY SERVICES, HAVE THEIR PLACE IN THE INCIDENT COMMAND STRUCTURE.

THE FIRE POLICE CAN FILL A NUMBER OF FUNCTIONS ON THE EMERGENCY SCENE.

- ☞ DIRECT TRAFFIC AT OR NEAR THE STAGING AREA.
- ☞ BE RESPONSIBLE FOR PERIMETER SECURITY.
- ☞ ASSIST IN EVACUATION OF PEOPLE FROM THE DANGER AREA.

MOST OF THESE DUTIES WOULD EITHER HAVE THE FIRE POLICE ANSWERABLE TO THE INCIDENT COMMANDER AT A SIMPLE INCIDENT OR ANSWERABLE TO THE OPERATIONS CHIEF AT A MORE COMPLEX INCIDENT.

IN THEIR OPERATIONS THE FIRE POLICE CAN SET UP THEIR OPERATION IN AN INCIDENT COMMAND SYSTEM.

TYPICAL SETUPS

☞ SCENARIO # 1 (SEE FIGURE 1)

- ✓ FIRE POLICE OFFICER IN CHARGE (INCIDENT COMMANDER)
- ✓ FIRE POLICE OFFICER IN CHARGE OF TRAFFIC CONTROL (FUNCTIONAL TASK)
- ✓ FIRE POLICE OFFICER IN CHARGE OF THE STAGING AREA (FUNCTIONAL TASK)
- ✓ FIRE POLICE OFFICER IN CHARGE OF EVACUATION PROCEDURES (FUNCTIONAL TASK)

SCENARIO # 2 (SEE FIGURE 2)

- ✓ FIRE POLICE OFFICER IN CHARGE (INCIDENT COMMANDER)
- ✓ FIRE POLICE OFFICER IN CHARGE OF OVERALL TRAFFIC (FUNCTIONAL TASK)
- ✓ FIRE POLICE OFFICER RESPONSIBLE FOR TRAFFIC ON NORTH SIDE OF INCIDENT (DIVISIONAL (GEOGRAPHIC) TASK)
- ✓ FIRE POLICE OFFICER RESPONSIBLE FOR TRAFFIC ON SOUTH SIDE OF INCIDENT (DIVISIONAL (GEOGRAPHIC) TASK)
- ✓ FIRE POLICE OFFICER IN CHARGE OF EVACUATION OF EAST SIDE OF INCIDENT (DIVISIONAL (GEOGRAPHIC) TASK)
- ✓ FIRE POLICE IN CHARGE OF STAGING (FUNCTIONAL TASK)

AS CAN BE SEEN BY THE EXAMPLES THE FIRE POLICE CAN USE THE FIRE POLICE VERY EFFECTIVELY TO CONTROL AND COORDINATE THE OPERATIONS OF A SCENE THAT THEY ARE WORKING AT.

MODULE 4 - DEMEANOR

INTRODUCTION

YOU WILL REALIZE THAT A TRAINED PUBLIC RELATIONS PERSON IS A COSTLY ITEM; THEREFORE SELDOM ARE THERE ANY PROVISIONS MADE FOR SUCH AN EXPENDITURE IN POLICE OR FIRE BUDGETS.

LACKING PROFESSIONAL ASSISTANCE OR ADVICE ALONG THESE LINES, IT IS THEN THE RESPONSIBILITY OF EACH AND EVERY PERSON IN THE ORGANIZATION TO BE ACTIVELY PARTICIPATING IN PUBLIC RELATIONS.

A VERY IMPORTANT PHASE OF THIS FIELD IS THE ABILITY AND THE WILLINGNESS TO DO A BETTER JOB. NO AMOUNT OF FAVORABLE PUBLICITY CAN OVERCOME THE DAMAGE DONE BY A MEMBER OF THE ORGANIZATION DOING HIS JOB IMPROPERLY. THE ENTIRE PROFESSION WILL BE JUDGED BY EACH INDIVIDUAL'S ACTIONS.

THE PUBLIC'S POINT OF VIEW

- THE PUBLIC HAS PRECONCEIVED OPINIONS OF THE POLICE. THESE OPINIONS CAN AFFECT HOW WELL THE POLICE AND PUBLIC GET ALONG. IT IS IMPORTANT THAT YOU UNDERSTAND HOW YOU WILL BE PERCEIVED BY THE GENERAL PUBLIC.
- LEARN TO DETERMINE, UNDERSTAND AND APPRECIATE THE OTHER PERSON'S VIEWPOINT.
- THIS CAN BE MORE DIFFICULT FOR VETERAN MEMBERS. THEY HAVE A TENDENCY OF LOOKING AT PROBLEMS FROM STRICTLY THE LAW ENFORCEMENT SIDE AND NOT FROM THE PEOPLES POINT OF VIEW.
- PUT SELF IN OTHER PERSON'S POSITION.
- TRY TO READ THE OTHER PERSON.
- FEAR CAN BE A RESULT OF A BAD PREVIOUS ENCOUNTER WITH THE POLICE.
- TRY TO DETERMINE THE REASON; THIS WILL ASSIST IN HELPING TO OVERCOME THE PROBLEM.
- PEOPLES DECISIONS ARE MANY TIMES BASED ON FIRST IMPRESSIONS; THIS WILL DETERMINE THEIR LIKE OR DISLIKE FOR A PERSON.
- OBSERVING HOW OTHER OFFICERS GET ALONG WITH PEOPLE CAN ASSIST IN HOW YOU WILL GET ALONG.
- CONSIDER BOTH POSITIVE AND NEGATIVE EVENTS TO AID YOU IN THIS.

FIRE POLICE & DEMEANOR

- ANY TIME YOU WORK WITH THE PUBLIC YOU MUST KEEP IN THE BACK OF YOU MIND WHAT PERCEPTION THEY WILL HAVE OF YOU.
- SOME AREAS TO CONSIDER TO AID IN A POSITIVE DEMEANOR ARE:
 - PAY ATTENTION AND SHOW AN INTEREST IN THE PERSON WHEN THEY TALK.
 - CONSIDER THE PROBLEM FROM THE OTHER PERSON'S VIEW POINT. IF HE OR SHE BELIEVES THE PROBLEM TO BE REAL, THEN YOU SHOULD CONSIDER THE PROBLEM TO BE REAL ALSO.
 - REMEMBER THAT THIS MAY BE THE ONLY TIME YOU WILL HAVE CONTACT

- WITH THIS PERSON AND HOW YOU REACT TO THAT PERSON WILL HAVE A DIRECT RESULT ON THEIR PERCEPTION OF THE ENTIRE ORGANIZATION.
- ☛ AVOID BEING OVERBEARING, ARROGANT OR HAVING A CHIP ON YOUR SHOULDER.
 - ☞ HUMILITY IS THE BEST CURE FOR THIS PROBLEM.
 - ☞ REMEMBER THAT YOU ARE AN EMPLOYEE OF THE STATE AND ITS PEOPLE, NOT THE OTHER WAY AROUND.
 - ☞ REMEMBER YOUR JOB IS TO **PROTECT AND SERVE** NOT TO **PERSECUTE AND PUNISH**.
 - ☛ BE FIRM, POLITE, AND IMPARTIAL.
 - ☞ IT IS NOT YOUR PLACE TO SUBMIT TO ABUSE OR VIOLENCE FROM OTHERS.
 - ☛ BE AWARE OF THE LAWS AND DUTIES YOU ARE BOUND TO OBEY AND BE WILLING TO TAKE A FIRM ACTION WHEN PRESENTED WITH ANY DIFFICULT TASK.
 - ☛ BE SINCERE AND ENTHUSIASTIC TOWARD YOUR JOB.
 - ☞ BEING SINCERE CAN BE INFECTIOUS TO ALL AROUND YOU.
 - ☞ IT IS IMPORTANT TO CONVINCING PEOPLE THAT THEY SHOULD BE WILLING TO HELP AND ASSIST.
 - ☞ IT IS EVIDENT WHEN YOU LACK FAITH IN YOUR ABILITIES, AND THIS WILL CARRY OVER TO OTHERS, WHO WILL SHOW A LACK OF FAITH IN YOU.
 - ☛ ENTHUSIASM AND SINCERITY IS DEVELOPED BY:
 - ☞ THE STUDY OF NEW TECHNIQUES.
 - ☞ KEEPING ABREAST OF NEW LAWS.
 - ☞ LEARNING AND USING THE LATEST EQUIPMENT.
 - ☛ IT IS IMPORTANT TO KNOW THAT YOU ARE NOT INFALLIBLE, **DO NOT BE AFRAID IF YOU MAKE AN HONEST MISTAKE. REMEMBER EVERYONE MAKES THEM**

GENERAL FACTORS

- ✓ SOME GENERAL FACTORS TO KEEP IN MIND WHEN DEALING WITH PEOPLE.
 - ☐ A CLEAN, AND NEATLY DRESSED OFFICER MAKES A GOOD IMPRESSION.
 - ☐ ALWAYS AVOID THE IMPRESSION YOU ARE LOAFING.
 - ☐ IF YOU EXPECT OTHERS TO OBEY THE LAW, THEN SO SHOULD YOU.
 - ☐ MAINTAIN A TOP NOTCH REPUTATION IN PUBLIC AND PRIVATE.
 - ☐ NEVER CRITICIZE OR ARGUE WITH OTHERS IN YOUR ORGANIZATION WHEN YOU ARE IN THE PUBLIC EYE.
 - ☐ BE NATURAL AND FRIENDLY WHEN POSSIBLE, BE FIRM WHEN NECESSARY.
 - ☐ MAKE SURE YOU ARE PREPARED TO DO YOUR JOB EFFICIENTLY, EFFECTIVELY, AND SAFELY.
 - ☐ ALWAYS BE ALERT TO ANY OPPORTUNITIES TO TEACH PUBLIC EDUCATION AND AWARENESS OF SAFETY AND THE LAW.
 - ☐ ALWAYS EXERCISE TOLERANCE AND ALWAYS AVOID PREJUDICE.
 - ☐ ALWAYS MAINTAIN A PROFESSIONAL ATTITUDE.

MODULE 5 - HISTORY, LAW & DUTIES

INTRODUCTION

THE FIRE POLICE IS AN ORGANIZATION THAT HAS ITS ROOTS IN THE EARLY YEARS OF THE FIRE SERVICE. EVEN BACK THEN THEY UNDERSTOOD THAT THERE WAS A NEED TO HAVE PROTECTION AND ASSISTANCE FOR THE FIREFIGHTER WHO WAS FIGHTING THE FIRE.

IT IS IMPORTANT FOR THE NEW MEMBERS OF THE FIRE POLICE TO HAVE AN UNDERSTANDING OF THE HISTORY AND TRADITIONS OF THE FIRE POLICE. IT IS SAID THAT "A PERSON WHO DISREGARDS HISTORY IS DOOMED TO REPEAT IT." IN ORDER TO UNDERSTAND WHAT THE ROLE OF THE FIRE POLICE IS TODAY, THE MEMBERS MUST UNDERSTAND ITS ROLE IN THE PAST.

AS WITH ANY ORGANIZATION, THERE ARE LAWS AND REGULATIONS THAT THE ORGANIZATION MUST ABIDE BY. IT IS IMPORTANT THAT THE ORGANIZATION UNDERSTAND THE STRUCTURE THAT THEY OPERATE IN, AND THE LIMITATIONS SET ON THEM BY THE LAWS OF THE STATE.

IT IS IMPORTANT THAT THE MEMBERS OF THE FIRE POLICE UNDERSTAND AND FOLLOW THE DUTIES OF THAT OFFICE. THE FIRE POLICE ARE PROFESSIONAL IN NATURE AND DO AN IMPORTANT JOB FOR SOCIETY. IT IS OF THE UTMOST IMPORTANCE THAT THESE DUTIES AND RESPONSIBILITIES BE UNDERSTOOD BY ALL CONCERNED.

HISTORY OF FIRE POLICE

AS FAR BACK AS COLONIAL AMERICA IT WAS RECOGNIZED THAT PROTECTION MUST BE GIVEN TO FIREFIGHTERS SO THEY COULD DO THEIR JOBS. A SYSTEM OF POLICING WAS DEVELOPED TO AID IN THIS.

IN NEW JERSEY AS EARLY AS 1875, THERE WAS LEGISLATION THAT GAVE CORONERS, SHERIFFS, JUSTICES OF THE PEACE THE POWER TO INVESTIGATE ANY FIRES THAT WAS THOUGHT TO HAVE BEEN SET MALICIOUSLY.

WHILE THIS WAS A BIG STEP FORWARD, IT WAS RECOGNIZED THAT THESE PEOPLE WERE NOT ALWAYS AVAILABLE TO PERFORM THESE DUTIES. THERE WAS STILL SOMETHING ELSE THAT NEEDED TO BE DONE.

FIRE POLICE WERE CREATED IN 1883 BY LEGISLATION THAT APPOINTED CERTAIN MEMBERS OF INCORPORATED FIRE COMPANIES TO ACT AS POLICE UNDER EMERGENCY CONDITIONS BROUGHT ABOUT BY FIRE.

THE LAW HAS BEEN AMENDED SEVERAL TIMES SINCE THEN (1884, 1940, 1947, 1953, 1979, 1987) AND FINALLY IN 1991 WHICH IT REMAINS IN FORCE TODAY.

LAWS REGARDING FIRE POLICE

THE ORIGINAL LAW CREATING THE FIRE POLICE AND SETTING FORTH THEIR POWERS - PL. 1883, P.201, AS AMENDED P.O. 1884, P. 99

"APPOINTMENT BY INCORPORATED FIRE COMPANIES OF MEMBERS THEREOF TO PERFORM POLICE DUTIES AT FIRES; POWERS OF SUCH MEMBERS; ARREST AND PUNISHMENT OF PERSONS DISOBEYING ORDERS, ETC. -- SEC. 1."

THAT ANY OF THE VOLUNTEER FIRE COMPANIES OR ASSOCIATIONS UNDER THE ACT TO WHICH IS A SUPPLEMENT, IN ANY OF THE COUNTIES OF THIS STATE, MAY PROVIDE FOR THE APPOINTMENT OF CERTAIN OF THEIR MEMBERS TO PERFORM POLICE DUTIES AT FIRES, WHICH MEMBER THUS APPOINTED TO DO POLICE DUTY SHALL WEAR A BADGE WHEN ON DUTY AT ANY FIRE, STATING SUCH OFFICE; AND THEY SHALL HAVE THE POWER AND AUTHORITY TO KEEP PERSONS WHO ARE NOT MEMBERS OF ANY FIRE OR HOSE OR HOOK AND LADDER OR SALVAGE CORPS, OR WHO ARE NOT THE OWNERS, AGENT FOR, BUILDING, OR THE REPRESENTATIVE OF ANY INSURANCE COMPANY OR COMPANIES, FAR ENOUGH AWAY FROM THE PLACE OF FIRE, AS THAT SUCH PERSON WILL NOT INTERFERE WITH THE DUTIES OF THE FIREMAN; AN IN CASE OF REFUSAL TO OBEY THEIR ORDERS, OR TO SHOW GOOD AND SUFFICIENT CAUSE THEREFOR, SUCH FIRE POLICE MAY ARREST THE PERSONS WHO DISOBEY AND KEEP THEM UNDER ARREST UNTIL THE FIRE IS EXTINGUISHED; AND UPON COMPLAINT BEFORE A JUSTICE OF THE PEACE, SUCH OFFENDER, IF FOUND GUILTY, SHALL BE SENTENCED TO PAY A FINE NOT EXCEEDING TEN DOLLARS IN COST.

THE AMENDED STATUTE RELATING TO FIRE POLICE AS IT READS TODAY - SECTION 15:8-4 SOURCE D. 1979, C 53 #1 APPROVED MARCH 27TH, 1979, EFFECTIVE IMMEDIATELY

"APPOINTMENT OF MEMBERS FOR POLICE DUTIES AT FIRES AND FIRE DRILLS; TERMS OF OFFICE; QUALIFICATIONS; OATH; AUTHORITY AND DUTIES; ARREST AND PUNISHMENT OF PERSONS REFUSING TO OBEY ORDERS"

ANY DULY ORGANIZED VOLUNTEER FIRE COMPANY MAY PROVIDE FOR THE APPOINTMENT OF CERTAIN OF ITS MEMBERS TO PERFORM CERTAIN POLICE DUTIES AT FIRES AND FIRE DRILLS FOR A TERM OF OFFICE NOT EXCEEDING FIVE YEARS FROM THE DATE OF THEIR APPOINTMENT. SUCH MEMBERS SHALL, BEFORE ENTERING UPON THEIR DUTIES, QUALIFY BY TAKING AND SUBSCRIBING AN OATH THAT THEY WILL JUSTLY, IMPARTIALLY AND FAITHFULLY DISCHARGE THEIR DUTIES ACCORDING

TO THE BEST OF THEIR ABILITY AND UNDERSTANDING. SAID OATH SHALL BE ADMINISTERED BY THE MUNICIPAL CLERK AND SUBSCRIBED TO IN DUPLICATE. THE ORIGINAL COPY OF SAID OATH SHALL BE FILED WITH THE MUNICIPAL CLERK AND THE COPY THEREOF FILED WITH THE SECRETARY OF THE FIRE COMPANY MAKING SUCH APPOINTMENT.

AFTER APPOINTMENT A MEMBER SHALL BE ELIGIBLE AS A FIRE POLICE AND HAVE FULL POWER AND AUTHORITY TO ACT AS SUCH ANYWHERE IN THE COUNTY IN WHICH HE WAS APPOINTED OR IN ANY OTHER COUNTY IN WHICH HE IS CALLED TO ACT.

IT SHALL BE THE DUTY OF A MEMBER OF THE FIRE POLICE TO PERFORM HIS DUTIES UNDER THE SUPERVISION OF THE FIRE OFFICER IN CHARGE OF THE FIRE OR FIRE DRILL.

THE DUTIES OF SAID FIRE POLICE SUBJECT TO SUPERVISION AFORESAID SHALL BE TO:

1. PROTECT PROPERTY AND CONTENTS.
2. ESTABLISH AND MAINTAIN FIRE LINES.
3. PERFORM SUCH TRAFFIC DUTIES AS NECESSARY FROM THE FIRE STATION TO AND AT THE VICINITY OF THE FIRE, FIRE DRILL OR OTHER EMERGENCY CALL, UNTIL THE ARRIVAL OF A DULY AUTHORIZED POLICE OFFICER.
4. IN THE ABSENCE OF INVESTIGATING AUTHORITY. FIRE POLICE SHALL INVESTIGATE ALL CAUSES OF FIRES AND PRESERVE ALL EVIDENCE PERTAINING TO QUESTIONABLE FIRES AND TURN EVIDENCE OVER TO PROPER INVESTIGATING AUTHORITIES.
5. WEAR THE FIRE POLICE BADGE ON THE LEFT BREAST OF THE OUTMOST GARMENT WHILE ON DUTY.

PROVIDED, HOWEVER, NOTHING HEREIN CONTAINED SHALL GIVE THE FIRE POLICE OR ANY OF THEM THE RIGHT TO SUPERSEDE A DULY AUTHORIZED POLICE OFFICER.

IF ANY PERSON SHALL UNREASONABLY REFUSE TO OBEY THE ORDERS OF THE FIRE POLICE SUCH FIRE POLICE MAY ARREST HIM AND KEEP UNDER ARREST UNTIL THE FIRE IS EXTINGUISHED OF THE DRILL IS COMPLETED. IF THE OFFENDER IS FOUND GUILTY BY A MUNICIPAL COURT OR COUNTY SUPERIOR COURT, HE SHALL BE SENTENCED TO PAY A FINE NOT EXCEEDING \$200.00 AND COSTS.

THE LAW CREATING FIRE POLICE WAS PL. 1883, P. 201.

- ☞ IT WAS AMENDED AS P. O. 1884, P.99.
- ☞ THE LAW AS IT IS TODAY IS NJSA 15:8-4

MOTOR VEHICLE LAWS APPLICABLE TO FIRE POLICE

- ☞ TITLE 39 OF THE NEW JERSEY STATUTES IS RESPONSIBLE FOR THOSE LAWS PERTAINING TO TRAFFIC CONTROL.
- ☞ THE FOLLOWING ARE APPLICABLE TO THE FIRE POLICE:
 - ☞ NJSA 39:3-10 DRIVER'S LICENSE NECESSITY FOR: PERSONS ENTITLED TO

EXAMINATION, AUTHORITY AND DURATION FEE, REFUSAL, VIOLATION OF SECTION PUNISHMENT.

- ☞ NO PERSON SHALL DRIVE A MOTOR VEHICLE ON A PUBLIC HIGHWAY IN THIS STATE UNLESS LICENSED TO DO SO IN ACCORDANCE WITH THIS ARTICLE.
- ☞ APPLICANT MUST BE 17 YEARS OF AGE, EXCEPT FOR A SPECIAL FARM PERMIT (16 YEARS OF AGE)
- ☞ NJSA 39:3-29 LICENSE AND REGISTRATION CERTIFICATE EXHIBITED ON REQUEST FOR INSPECTION.
- ☞ BOTH DRIVER'S LICENSE AND REGISTRATION SHOULD BE IN POSSESSION OF THE OPERATOR OF THE VEHICLE.
- ☞ THE OPERATOR MUST PRODUCE A DRIVERS LICENSE AND VEHICLE REGISTRATION TO ANY POLICE OR FIRE POLICE OFFICER WHILE IN THE ATTENDANCE OF THEIR DUTIES.

DUTIES OF FIRE POLICE

JURISDICTION

FIRE POLICE HAVE ALL THE POWERS AND AUTHORITY OF THEIR OFFICE ANYWHERE IN THE COUNTY IN WHICH THEY WERE APPOINTED.

- ☞ THEY MAY CROSS MUNICIPAL OR TOWNSHIP LINES AND STILL RETAIN JURISDICTION WHEN ON ACTIVE DUTY WITH HIS OR HER COMPANY.
 - ☞ FIRE POLICE HAVE FULL POWERS OF THE OFFICE OUTSIDE THE COUNTY IN WHICH HE WAS APPOINTED, IF CALLED TO THAT COUNTY BY THE PROPER AUTHORITY.
- THE FIRE POLICE HAVE THE DUTIES TO PROTECT LIFE AND PROPERTY, ESTABLISH AND MAINTAIN FIRE LINES, CONTROL TRAFFIC.

☞ PROTECT LIFE & PROPERTY

- ☞ EN ROUTE TO THE SCENE, AT THE SCENE, AND AFTER THE FIRE OR DRILL IS OVER.
- ☞ THE FIRST DUTY OF THE FIRE POLICE IS TO PROTECT PROPERTY AND CONTENTS.
- ☞ THE RESPONSIBILITY OF THE FIRE POLICE BEGINS WHEN THE ALARM IS SOUNDED.
- ☞ WHILE EN ROUTE TO THE SCENE, ATTENTION SHOULD BE GIVEN TO ANY UNREASONABLE OR CARELESS OPERATOR OF THE FIRE APPARATUS.
- ☞ GIVE ATTENTION TO THE CARELESS OR ILLEGAL OPERATION OF VEHICLES BY OTHERS.
- ☞ PREVENT THEFT, LOOTING AND MALICIOUS ACTION BY OTHERS.
 - ✓ THIS INCLUDES PROTECTION OF PROPERTY REMOVED FROM THE BURNING STRUCTURE, PROVISIONS TO PROTECT PROPERTY AFTER THE FIRE HAS BEEN EXTINGUISHED
 - ✓ THIS ALSO INCLUDES PROTECTION OF FIRE APPARATUS FROM DAMAGE AND PREVENTION OF DAMAGE TO PRIVATE PROPERTY.

☞ PREVENTION OF DISORDERS

- ☞ THE OUTBREAK OF DISORDER IS A CONSTANT DANGER WHEN PEOPLE ARE GATHERED CLOSELY TOGETHER.
- ☞ EMOTIONS RUN HIGH AND TROUBLE THAT BEGINS IN A CROWD CAN TRAVEL RAPIDLY.

- ☞ PAY ATTENTION TO ANY UNSTABLE PEOPLE IN A CROWD.
- ☞ ESTABLISH AND MAINTAIN FIRE LINES.
 - ☞ FIRE LINES ARE ESTABLISHED FOR TWO PURPOSES.
 - ✓ TO PROVIDE AMPLE SPACE FOR FIREFIGHTERS TO DO THEIR JOB IN AN EFFICIENT, EFFECTIVE, AND SAFE MANNER.
 - ✓ TO ROPE OFF OR COMPLETELY CUT OFF AN UNSAFE AREA.
 - ✓ TAKE ADVANTAGE OF NATURAL OR ARTIFICIAL EQUIPMENT ALREADY AT THE SCENE (TREES, FENCES, BUILDINGS, ETC.).
- ☞ TRAFFIC CONTROL
 - ☞ THIS AREA WILL BE COVERED IN MORE DETAIL LATER ON IN THE COURSE

MODULE 6 - INVESTIGATIONS

INTRODUCTION

AS FIRE POLICE, WE KNOW THAT FIREFIGHTERS ARE PERFORMING AN IMPORTANT PUBLIC SERVICE. IT HAS BEEN KNOWN FOR SOME TIME THAT THE FIREFIGHTER AT THE SCENE CAN RENDER AN IMPORTANT SERVICE TO THE POLICE.

1. BY BEING INFORMED IN THE PROPER METHOD OF HANDLING AND PRESERVING EVIDENCE.
2. BY IMMEDIATELY NOTIFYING THE POLICE WHEN CALLS ARE RECEIVED FOR FIRE DEPARTMENT SERVICES IN REGARD TO CRIMES, ACCIDENTS AND EMERGENCIES. EVIDENCE IS OF GREAT IMPORTANCE TO THE POLICE IN THE PROSECUTION OF WRONGFUL ACTS.

GENERAL GUIDING ELEMENTS

WHAT IS EVIDENCE?

EVIDENCE IS ANY FACT OR MATERIAL WHICH FURNISHES OR TENDS TO FURNISH PROOF OF ANY MATTER IN QUESTION. IT MAY BE IN THE FORM OF STATEMENTS, OF WITNESSES OR ACCUSED, RECORDS OR CONCRETE OBJECTS, SUCH AS WEAPONS, CLOTHING, DOCUMENTS, STAINS, ETC.

SINCE EVIDENCE IS VERY IMPORTANT TO MAKING A PROPER CASE, NO EVIDENCE SHOULD BE NEGLECTED OR OVERLOOKED.

THERE ARE CIRCUMSTANCES THAT CAN LEAD TO PROBLEMS IN THE MATTER OF EVIDENCE.

- ☞ EVIDENCE IS SOMETIMES INTANGIBLE MATTER AND NOT READILY OBSERVED BY THE LAYMAN.
- ☞ EVIDENCE, THOUGH RECOGNIZED IS IMPROPERLY PROTECTED AND AS A RESULT IS DESTROYED.
- ☞ EVIDENCE, THROUGH IMPROPER HANDLING, WILL NOT MEET THE STRICT RULES OF THE COURTS GOVERNING ITS ADMISSIBILITY AT TRIAL.

THE FOLLOWING ARE SOME OF THE GENERAL GUIDING ELEMENTS IN AN INVESTIGATION.

- WHAT HAPPENED?
- WHERE DID IT HAPPEN?
- WHEN DID IT HAPPEN?
- WHOM DID IT HAPPEN TO?
- HOW DID IT HAPPEN?
- WHO DID IT?
- WHY?

AT THE SCENE

THE FIRE POLICE SHOULD REMAIN CALM AND ALERT.

- ☞ CALMNESS IS CONTAGIOUS AND WILL TEND TO CALM OTHERS.
 - ☞ BY YOUR CALMNESS YOU WILL IMPRESS OTHERS AT THE SCENE AS

- ☞ EXCITEMENT AND RUSHING ABOUT THE SCENE WILL RESULT IN THE DESTRUCTION OF EVIDENCE.
- ☞ EXCITEMENT AND PANIC WILL ROB AN INDIVIDUAL OF THE FACILITY TO THINK CLEARLY.
- ☞ YOU SHOULD BE OBSERVANT OF AND ALERT TO NOT ONLY THE OBVIOUS, BUT ALSO THE SEEMINGLY UNIMPORTANT DETAILS PRESENT.
 - ☞ SUSPICIOUS ACTIONS AND GLANCES ON THE PART OF THOSE PRESENT.
 - ☞ ATTEMPTS TO CONCEAL OR DESTROY ANYTHING OF EVIDENTIAL VALUE.
 - ☞ LACK OF DENIAL BY ONE ACCUSED OF THE VIOLATION.
 - ☞ ANY UNUSUAL INTERFERENCE WITH THE ADMINISTERING OF FIRST AID.
 - ☞ QUESTIONABLE DECLARATIONS.
 - ☞ ANY ACCUSATION MADE IN THE HEAT OF ANGER BY PERSONS PRESENT.
 - ☞ ANY WORDS UTTERED BY THE INJURED.
- ☞ THE FIRE POLICE SHOULD NOT RUSH IN HAPHAZARDLY UPON THE IMMEDIATE SCENE OF THE EMERGENCY.
 - ☞ YOU SHOULD HESITATE FOR A MOMENT TO DELIBERATE, YOU SHOULD USE YOUR FIVE SENSES SO THAT YOU MAY BE CONSCIOUS OF AND CAREFUL OF EVIDENTIAL MATTER AT THE SCENE.
 - ☞ TAKE NOTE OF OBVIOUS EVIDENCE DURING THIS DELIBERATION. I.E. EMPTY CONTAINERS, RAGS, PAPER, EXCELSIOR, TRAILS OF INFLAMMABLES, UNBURNED PANS OF LIQUIDS.
 - ☞ NOTE RELATIONSHIP OF EVIDENCE, ONE PIECE TO ANOTHER.
 - ☞ REMEMBER THE CARDINAL RULE "DON'T TOUCH" UNLESS ABSOLUTELY NECESSARY AND THEN WITH GREAT CARE.
- ☞ COMMON CARELESS ACTS COMMITTED AT THE SCENES OF CRIMES, ACCIDENTS OR EMERGENCIES ARE:
 - ☞ TOUCHING - CARELESS OR UNNECESSARY.
 - ☞ MOVING ARTICLES AT THE SCENE.
 - ☞ SCUFFLING AT THE SCENE.
 - ☞ LITTERING AT THE SCENE.
- ☞ IT IS A CRIMINAL INVESTIGATION REQUIREMENT THAT "TRUE" SCENE OF THE CRIME OR EMERGENCY BE PHOTOGRAPHED AND SKETCHED BY THE INVESTIGATOR.
 - ☞ PHOTOGRAPHS AND SKETCHES ARE A GREAT AID NOT ONLY TO THE INVESTIGATING OFFICER, BUT ALSO TO THE PROSECUTOR, JUDGE, JURY AND OTHER INVESTIGATING AGENCIES INTERESTED.
- ☞ PROTECT SCENE UNTIL THE ARRIVAL OF INVESTIGATORS.

- ☛ PROTECT SCENE UNTIL THE ARRIVAL OF INVESTIGATORS.
- ☛ FIRE POLICE ARE TO USE PERSONAL CARE ABOUT THE SCENE.
 - ☞ KEEP ONLOOKERS AT A SAFE DISTANCE FROM THE SCENE, HOWEVER, BEAR IN MIND THAT IN THE GROUP OF ONLOOKERS THERE MAY BE WITNESSES OR POSSIBLE SUSPECTS TO BE IDENTIFIED BY THE POLICE.
 - ☞ THIS CAN BE DETERMINED FROM UNGUARDED REMARKS OR SUSPICIOUS ACTIONS ON THE PART OF THE ONLOOKER.
 - ☞ A WITNESS MAY OCCASIONALLY VOLUNTEER INFORMATION TO THE FIRE POLICE REGARDING THE VIOLATION.
 - ☞ NOTES SHOULD BE TAKEN REGARDING ANY SUCH REMARKS HEARD OF INFORMATION GATHERED.
- ☛ THE FIRE POLICE PROTECT THE SCENE FROM THE ELEMENTS.
 - ☞ FOOTPRINTS AND TIRE MARKS CAN BE PROTECTED FROM THE ELEMENTS BY COVERING SUCH TRACES WITH WATER-PROOF MATERIAL AND DIGGING A DITCH AROUND IT FOR DRAINAGE.

RECORDS OF OBSERVATIONS

IMPORTANCE OF SUCH RECORDS.

- ☛ IN COURT.
 - ☞ IF FIRE POLICE OFFICER IS CALLED TO TESTIFY IN COURT.
- ☛ TO THE POLICE.
 - ☞ IT IS AN AID TO THE INVESTIGATION.
- ☛ TO THE FIRST AID UNIT.
 - ☞ AS GENERAL INFORMATION

IMPORTANCE OF EVIDENCE

THE FINDING OF EVIDENCE IS BUT ONE PHASE IN THE WORK OF THE INVESTIGATOR. TO BE OF VALUE THE EVIDENCE MUST BE PROPERLY GATHERED, IDENTIFIED, PRESERVED AND TRANSPORTED TO ITS DESTINATION.

- GATHERING
- ☛ THE EXACT LOCATION FROM WHICH IT WAS OBTAINED MUST BE RECORDED.
 - ☛ TO SHOW THE RELATIONSHIP TO THE VICTIM, TO THE ACCUSED, OTHER EVIDENCE. TO THE GENERAL SCENE.
 - ☛ IT MUST BE GATHERED IN SUCH A MANNER AS TO PRESERVE ITS EVIDENTIAL VALUE.

IDENTIFICATION

- ☛ THE FINDER OF THE EVIDENCE MUST BE ESTABLISHED.
- ☛ THE OBJECT MUST BE MARKED FOR PROPER IDENTIFICATION BY THE FINDER OR THE POLICE OFFICER.

PRESERVATION

- ☛ ALL EVIDENCE MUST BE PRESERVED IN SUCH A MANNER AS TO PREVENT DESTRUCTION, LOSS, DISTORTION, OR CONTAMINATION. IN CLEAN CONTAINERS OR WRAPPINGS.
- ☛ PERISHABLES MUST BE KEPT COOL.
- ☛ CONTINUITY OF POSSESSION MUST BE MAINTAINED FROM SCENE TO COURT.
- ☛ IT MUST BE UNDER CONTROL OF THE PROPER AUTHORITY AT ALL TIMES.
- ☛ RECEIPTS MUST BE OBTAINED EACH TIME THE EVIDENCE IS TRANSFERRED.

TRANSPORTATION

- ☛ ALL EVIDENCE MUST BE TRANSPORTED TO ITS DESTINATION WITHOUT UNNECESSARY DELAY.
- ☛ AND IN SUCH A MANNER SO AS TO ELIMINATE ANY POSSIBLE DESTRUCTION, ETC.
- ☛ CUSTODIAN OF SERVICE
 - ☞ RECEIVES ALL EVIDENCE THAT DOES NOT REQUIRE SERVICES OF EXPERTS.
 - ☞ LABORATORY
 - ✓ ALL EVIDENCE OF A QUESTIONABLE NATURE OR REQUIRING POSITIVE IDENTIFICATION BY AN EXPERT WILL BE SENT TO THE LABORATORY IN PROPER FORM AND QUANTITY FOR EXAMINATION TESTS.

MODULE 7 - ARREST

INTRODUCTION

AS HAS BEEN PREVIOUSLY STATED, THE POWER TO ARREST IS THE MOST POWERFUL WEAPON POSSESSED BY THE LAW ENFORCEMENT OFFICER. THE FEAR OF THIS POWER IS THE COMPELLING FORCE WHICH LEADS TO LAW AND ORDER. IT IS WHAT ACTS AS A DETERRENT TO BREAKING THE LAW. THIS ABILITY GIVES THE LAW ENFORCEMENT OFFICER, UNDER LIMITED CIRCUMSTANCES, THE POWER OF GOD.

IN THIS LESSON WE WILL COVER THOSE PARTS OF THE STATE CONSTITUTION THAT PROTECT THE CITIZEN FROM UNSUBSTANTIATED ARREST UNDER THE LAW. WE WILL ALSO COVER THE ARREST POWERS OF THE FIRE POLICE AND THE PRIVATE CITIZEN, AS WELL AS METHODS OF ARRESTING A PERSON.

CONSTITUTIONAL LAWS

THE FIRE POLICE OFFICER MUST CONSTANTLY REMIND HIM OR HER SELF THAT WE DO NOT LIVE IN A TOTALITARIAN STATE.

- ☛ WE ARE RESPONSIBLE FOR ANY INFRINGEMENTS ON THE RIGHTS OF THE PRIVATE CITIZEN.
- ☛ FEDERAL AND STATE CONSTITUTIONS ARE ALWAYS PRESENT AND ACTING AS A REIN ON ENFORCEMENT ACTION.
- ☛ SECTIONS OF THE CONSTITUTION
 - ☞ PARAGRAPH 1 - ENTITLES CITIZENS TO NATURAL AND INALIENABLE RIGHTS.
 - ☞ PARAGRAPH 2 - STATES THAT ALL POLITICAL POWER IS INHERENT IN THE PEOPLE
 - ☞ PARAGRAPH 6 - GUARANTEES THE CITIZEN THE RIGHTS OF SECURITY FOR THEIR PERSON AND PROPERTY. ALSO PROHIBITS ILLEGAL SEARCH AND SEIZURE.
- ☛ OTHER RIGHTS AFFORDED UNDER THE CONSTITUTION ARE:
 - ☞ SPEEDY TRIAL
 - ☞ PUBLIC TRIAL
 - ☞ IMPARTIAL TRIAL
 - ☞ INFORMED OF THE ACCUSATION
 - ☞ CONFRONTED BY WITNESSES
 - ☞ COMPULSORY PROCESS OF WITNESSES
 - ☞ ASSISTANCE OF COUNSEL
 - ☞ PROTECTION AGAINST EXCESSIVE FINES OR BAILS
 - ☞ PROTECTION AGAINST CRUEL AND UNREASONABLE PUNISHMENT.

ARREST POWERS OF FIRE POLICE

THE ARREST POWERS OF THE FIRE POLICE ARE FOUND UNDER NJSA 15:8-4.

- ☛ THIS PROVIDES THAT HE OR SHE MAY ARREST ONLY FOR THE UNREASONABLE REFUSAL TO OBEY HIS OR HER ORDER.

- ☞ THERE IS NO MENTION OF THE ACTION TO BE TAKEN BY THE FIRE POLICE WHO OBSERVES A CRIME OR VIOLATION OCCURRING.
- ☞ THE SAME CONDITION IS PRESENT WHEN THE FIRE POLICE SEES A CRIME OR VIOLATION OF THE DISORDERLY PERSONS ACT TAKE PLACE. THEY MAY NOT TAKE ACTION AS A FIRE POLICE OFFICER.
- ☞ THE ARREST POWERS OF THE FIRE POLICE ARE VERY LIMITED BY STATUTE.

ARREST POWERS OF PRIVATE CITIZEN

THESE POWERS ARE BASED ON COMMON LAW.

- ☞ A PRIVATE CITIZEN MAY STOP A BREACH OF THE PEACE THAT IS COMMITTED IN HIS OR HER PRESENCE AND TURN THE VIOLATOR OVER TO A POLICE OFFICER.
- ☞ THE PRIVATE CITIZEN MAY ARREST A PERSON WHO HAS COMMITTED A FELONY WHEN THERE IS PROBABLE GROUNDS TO FAIRLY SUSPECT THAT PERSON WHO HE OR SHE ARRESTED IS THE ONE WHO COMMITTED THE CRIME.
- ☞ UNDER COMMON LAW ANY PERSONS WHO ARE PRESENT WHEN A FELONY OCCURS ARE BOUND TO APPREHEND THE OFFENDER, OR BE SUBJECT TO BEING FINED OR IMPRISONED OR NEGLECT, UNLESS THEY ARE UNDERAGE OR OTHERWISE INCAPABLE.
- ☞ NJSA 2C:33-2 DISORDERLY PERSON ACT STATES:
 - ☞ WHENEVER AN OFFENSE IS COMMITTED IN HIS PRESENCE, ANY CONSTABLE OR POLICE OFFICER SHALL, AND ANY OTHER PERSON MAY APPREHEND WITHOUT WARRANT OR PROCESS ANY DISORDERLY PERSON, AND TAKE HIM BEFORE A MAGISTRATE OF THE COUNTY WHERE APPREHENDED.
 - ☞ HE MAY ARREST FOR ANY MISDEMEANOR OCCURRING IN HIS PRESENCE WHICH INVOLVES A BREACH OF THE PEACE.

METHODS OF ARREST

ARREST WITHOUT A WARRANT.

THE PRIVATE CITIZEN MAY ARREST WHEN THERE IS A PROBABLE GROUND TO SUSPECT THAT A PERSON HAS COMMITTED A FELONY.

- ☞ PROBABLE GROUNDS - JUSTIFYING ARREST WITHOUT A WARRANT, IS SAID TO EXIST WHEN THE CIRCUMSTANCES ARE SUCH THAT ANY REASONABLE PERSONS, ACTING WITHOUT PASSION OR PREJUDICE, WOULD FAIRLY SUSPECT ANOTHER OF BEING THE ONE WHO COMMITTED THE FELONY.
- ☞ WHEN THE PERSON HAS CREATED FACTS OR CIRCUMSTANCES WHICH REASONABLY CAUSES THE OFFICER TO FAIRLY SUSPECT HIM OF BEING GUILTY OF A FELONY, THERE EXISTS PROBABLE GROUNDS TO ARREST.

EXAMPLE A

ARSON OF DWELLING, NEIGHBOR SAW OWNER REMOVING FURNITURE, ETC., AT 2:00 AM AND ENTER WITH A FIVE GALLON CAN. WITNESS TURNS INFORMATION OVER TO THE FIRE

POLICE. PROBABLE GROUNDS EXIST.

DWELLING IS BURNED AND ARTICLES OF FURNITURE HAVE BEEN REMOVED TO THE YARD. A \$75.00 TABLE HAS DISAPPEARED. TABLE FOUND IN NEIGHBOR'S HOME BY THE FIRE POLICE. PROBABLE GROUNDS EXIST.

IF INVESTIGATION PRIOR TO ARRAIGNMENT REVEALS THE ACCUSED IS INNOCENT, IT IS STILL REQUIRED THAT THE COURT MAKE THE DISPOSITION. WHEN AN ARREST IS BASED ON CIRCUMSTANTIAL EVIDENCE, THE COURT IS INTERESTED IN THE FOLLOWING.

- IF WAS THERE IN FACT A FELONY COMMITTED, AND WERE CIRCUMSTANCES SUCH AS TO CREATE PROBABLE CAUSE TO FULLY SUSPECT THAT THE PERSON ARRESTED COMMITTED THE FELONY.
- IF WAS THE ARREST MADE UPON SUCH KNOWLEDGE AND IN GOOD FAITH, AND WERE CIRCUMSTANCES SUCH AS WOULD CAUSE SUSPICION IN THE MIND OF THE PRUDENT PERSON.
- IF WAS THE ARREST MADE WITHOUT MALICIOUS INTENT ON THE PART OF THE CITIZEN, OR WITHOUT DESIRE FOR PLEASURE OR GAIN.
- IF IF THE CITIZEN CAN ANSWER YES IN ALL INSTANCES, HE OR SHE WILL BE FREE FROM LIABILITY.

ARREST FOR MISDEMEANORS WITHOUT A WARRANT.

- IF ARREST WITHOUT A WARRANT IN CASES INVOLVING A MISDEMEANOR MAY ONLY BE MADE WHEN THE COMMISSION OF THE CRIME IS WITNESSED BY THE FIRE POLICE OFFICER, OR A WARRANT HAS BEEN ISSUED FOR THE ARREST.

EXAMPLE B

FIRE POLICE SEE "A" COMMITTING AN ASSAULT AND BATTERY ON "B"

"B" REPORTS TO THE FIRE POLICE THAT "A" COMMITTED THE ASSAULT AND BATTERY ON HIM. ARREST WITHOUT WARRANT WOULD NOT BE ALLOWED, NO MATTER HOW STRONG THE EVIDENCE MAY BE.

ARREST WITHOUT WARRANT IN A DISORDERLY PERSONS CASE.

- IF AS PROVIDED UNDER NJSA 2A:169-3
- IF A PERSON CANNOT BE DISORDERLY WHILE HE OR SHE IS IN THEIR OWN HOME.

EXAMPLE C

CITIZEN STANDING IN THE CROWD AT THE SCENE OF A FIRE IS HEARD BY THE FIRE POLICE OFFICER TO USE PROFANE LANGUAGE. THE FIRE OFFICER MAY ARREST THE CITIZEN AS A DISORDERLY PERSON.

MECHANICS OF ARREST

- ☛ FOUR ESSENTIAL PARTS THAT MAKE AN ARREST.
 - ☞ AUTHORITY TO ARREST - ANYONE BEING ARRESTED IS ENTITLED TO KNOW WHY THEY ARE BEING ARRESTED BY A LAWFUL AUTHORITY.
 - ☞ INTENTION OF ARREST - THIS IS IN THE TELLING THE ACCUSED THAT HE OR SHE IS UNDER ARREST FOR A SPECIFIC CRIME.
 - ☞ SEIZURE AND DETENTION - ACTUAL SEIZURE AND DETENTION OF THE ACCUSED IS NOT ESSENTIAL. IT IS BEST TO USE A COMMON METHOD, WHICH IS TO LAY A HAND ON THE ACCUSED AND STATING THAT THEY ARE ARRESTED.
 - ☞ THERE MUST BE AN UNDERSTANDING ON THE PART OF THE ACCUSED AS TO WHY THEY HAVE BEEN ARRESTED.
 - ☞ UNTIL THE ARREST HAS BEEN COMPLETED BY COMPLYING WITH THE ESSENTIALS THERE CAN BE NO RESISTANCE OF ARREST.

FORCE AND CONTROL

- ☛ THE CITIZEN, HAVING MADE A LAWFUL ARREST, IS JUSTIFIED IN USING ALL REASONABLE MEANS AT HIS OR HER DISPOSABLE TO ACCOMPLISH THAT ARREST AND MAINTAIN CONTROL OVER HIS PRISONER.
 - ☞ IF THE ACCUSED CONTINUES TO RESIST AFTER LAWFUL ARREST HAS BEEN MADE, HE OR SHE MAY BE PROSECUTED FOR RESISTANCE UNDER THE COMMON LAW AS WELL AS ASSAULT AND BATTERY.
 - ☞ THE ARRESTING OFFICER WILL NOT BE HELD LIABLE FOR USING THE NECESSARY FORCE TO ACCOMPLISH THE ARREST.
 - ☞ THE RIGHT TO EMPLOY FORCE, WHEN FORCE IS REASONABLY NECESSARY, IS COEXISTING WITH THE RIGHT TO ARREST.
 - ✓ ANY UNREASONABLE USE OF FORCE WILL RENDER THE ARRESTING OFFICER LIABLE TO CRIMINAL AND CIVIL PROSECUTION.
 - ☞ ALL PERSONS, SUBJECT TO A LAWFUL ARREST, MUST YIELD PEACEABLY TO THAT ARREST, GUILT OR INNOCENCE NOT WITHSTANDING.
- ☛ WHEN THEY RESIST, REASONABLE FORCE MAY BE USED TO OVERCOME SUCH RESISTANCE.
- ☛ ALL FORCE USED IN BRINGING ABOUT ARRESTS IS LIMITED BY THE FOLLOWING RULE - "ONLY SUCH FORCE MAY BE USED AS IS NECESSARY TO OVERCOME THE OPPOSING FORCE".

EXAMPLE D

PUSHING A PERSON ALONG WHO HAS ALREADY SUBMITTED TO ARREST.

HANDCUFFING A MOTOR VEHICLE OPERATOR.

CONTINUED USE OF FORCE AFTER A PERSON HAS CEASED RESISTING.

- ☛ WHEN A PRIVATE CITIZEN, ON HIS OR HER OWN INITIATIVE, ARRESTS ANOTHER IN A CASE WHICH HE OR SHE HAS NO LAWFUL RIGHT TO ACT, HE OR SHE DOES SO AT THEIR OWN RISK.

CLASSIFICATIONS OF FORCE

- ☛ PHYSICAL FORCE

- ☞ WRESTLING
- ☞ BOXING
- ☞ JUDO

- ☛ MECHANICAL FORCE

- ☞ BATON
- ☞ HANDCUFFS
- ☞ BLACKJACK
- ☞ FIREARM

- ☛ EXTREME FORCE

- ☞ THE FIREARM IS CONSIDERED THE EXTREME IN FORCE, AND WHEN RESORTED TO, THE RIGHT TO KILL MUST EXIST.
- ☞ THE RIGHT TO KILL IS LIMITED AND THE RULES APPLYING ARE STRICT.
- ☞ KILLING A PERSON WILL BE JUSTIFIED IN THE FOLLOWING INSTANCES.
 - ✓ "KILLING A FELON, ATTEMPTING TO COMMIT ARSON, BURGLARY, KIDNAPING, MURDER, RAPE, ROBBERY OR SODOMY SHALL BE HELD GUILTY AND DISCHARGED" - NJSA 2A:113-6
 - ✓ TO PREVENT THE RESCUE OF AN ARRESTED FELON FROM HIM THROUGH THE MEDIUM OF ASSAULT BY OTHERS.
 - ✓ TO PREVENT THE ESCAPE OF CONVICTS FROM PRISON.
 - ✓ TO PREVENT THE ESCAPE OF A FELON WHERE NO LESSER MEASURES WILL SUFFICE.

LEGAL SEARCH AFTER ARREST

- ☛ AFTER LAWFUL ARREST HAS BEEN MADE, ANY REASONABLE SEARCH IS LAWFUL.
 - ☞ WHETHER OR NOT THE SEARCH IS REASONABLE IS GOVERNED BY WHAT IS BEING SEARCHED FOR.
 - ☞ A SEARCH MAY BE MADE TO ASCERTAIN WHETHER OR NOT THE ARRESTED PERSON IS ARMED AND TO DISARM HIM.
 - ☞ A SEARCH MAY BE MADE TO REMOVE ANY INSTRUMENTS OF THE CRIME.
 - ☞ A SEARCH MAY BE MADE TO REMOVE ANYTHING WITH WHICH HE OR SHE MIGHT INJURE HIM OR HER SELF OR OTHERS.
 - ☞ A SEARCH MAY BE MADE TO REMOVE ANY TANGIBLE EVIDENCE CONNECTING HIM WITH THE CRIME.

MODULE 8 - ENFORCEMENT POWERS

INTRODUCTION

PART OF THE JOB OF THE FIRE POLICE IS THE ENFORCEMENT OF THE LAWS OF NEW JERSEY, AS SPELLED OUT IN THE STATE STATUTES. IT IS IMPORTANT FOR THE FIRE POLICE TO UNDERSTAND WHAT THESE STATUTES OR LAWS ARE.

THE FIRE POLICE MUST UNDERSTAND THAT THEY MUST ABIDE BY THE LAWS THAT THEY ENFORCE ,AND TO ENFORCE THEM IMPARTIALLY TO ALL CONCERNED WITHOUT PREJUDICE.

IN THIS MODULE WE WILL GO OVER THE ENFORCEMENT POWERS THAT APPLY TO FIRE POLICE, AND COVER THOSE PARTICULAR STATUTES THAT ARE ENFORCEABLE BY THE FIRE POLICE.

GENERAL PRINCIPLES OF NEW JERSEY LAW

THESE PRINCIPLES APPLY IN ALL CRIMES AND VIOLATIONS.

- ☛ BASIC ELEMENTS OF A CRIME.
- ☛ THERE MUST BE TWO BASIC ELEMENTS TO CONSTITUTE AN OFFENSE AGAINST THE LAW.
 - ☞ CRIMINAL INTENT.
 - ☞ CRIMINAL ACT
- ☛ CRIMINAL INTENT
 - ☞ THE CRIMINAL INTENT IS A STATE OF MIND DIRECTED TOWARD DOING AN UNLAWFUL ACT.
IT MAY BE IN ONE OF THE FOLLOWING FORMS.
 - ✓ SPECIFIC INTENT - THAT KIND OF INTENT THAT IS SPECIFIC IN NATURE. A SPECIFIC OR PARTICULAR ACT.
 - ✓ WHEN WORDS SUCH AS "WILFULLY", "MALICIOUSLY" OR "FELONIOUS" ARE USED IN THE WRITING OF A SPECIFIC STATUTE, IT IS A CRIME REQUIRING A SPECIFIC INTENT.
- ☛ CRIMINAL ACT
 - ☞ THE LAW IN EFFECT SAYS THAT WE WILL NOT PUNISH A PERSON IF THEY MERELY INTEND TO COMMIT AN OFFENSE AND DOES NOT ACT TOWARDS ITS ACCOMPLISHMENT.
 - ☞ THE LAW ALSO STATES THAT WE WILL NOT PUNISH A MAN WHO HAS COMMITTED AN UNLAWFUL ACT WITHOUT A GUILTY MIND (CRIMINAL INTENT)

LAWS APPLICABLE TO FIRE POLICE WORK

THE FOLLOWING LAWS AND STATUTES APPLY DIRECTLY TO THOSE TASKS THAT WILL BE DONE, OR THOSE LAWS THAT WILL BE ENFORCED BY THE FIRE POLICE.

- ☛ NJSA 15:8-4 - APPOINTMENT OF MEMBERS FOR FIRE POLICE DUTIES AT FIRES; DUTIES; ARREST AND PUNISHMENT OF OFFENDERS.

- ☞ THE STATUTE STATES IN PART THAT "IF ANY PERSON SHALL UNREASONABLY REFUSE TO OBEY THE ORDERS OF THE FIRE POLICE, SUCH FIRE POLICE MAY ARREST HIM AND KEEP HIM UNDER ARREST UNTIL THE FIRE IS EXTINGUISHED OR THE DRILL COMPLETED."
- ☞ THIS POWER IS THE MOST POTENT WEAPON GIVEN TO A FIRE POLICE OFFICER BY THE PEOPLE.
 - ☞ GREAT CAUTION MUST BE EXERCISED IN THE USE OF THIS POWER.
 - ☞ THE FIRE POLICE OFFICER MUST ALWAYS REMEMBER THAT WE DO NOT LIVE IN A POLICE STATE, AND ALL POLICE ACTION MUST BE IN ACCORDANCE WITH DUE PROCESS OF LAW.
 - ☞ THERE ARE MANY REGULATIONS PLACED UPON THE POLICE OFFICER AS TO WHEN AND HOW HE OR SHE WILL MAKE THE ARREST.
 - ☞ EVEN MORE STRINGENT RESTRICTIONS ARE PLACED ON THE FIRE POLICE OFFICER
 - ☞ THE ONLY POWER OF ARREST GIVEN A FIRE POLICE OFFICER UNDER THIS STATUTE IS FOR THE UNREASONABLE REFUSAL BY AN INDIVIDUAL TO OBEY THE FIRE POLICE'S ORDER.
 - ✓ IT WILL BE OF NOTE THAT THIS VIOLATION WAS APPARENTLY MEANT TO BE OF A MINOR NATURE DUE TO THE SMALL PENALTY APPLIED.
 - ✓ FORCE USED IN EFFECTING AN ARREST OF A MINOR NATURE MUST BE KEPT TO AN ABSOLUTE MINIMUM.
 - ✓ THE SUBJECT OF THE USE OF FORCE IN AFFECTING AN ARREST WILL BE COVERED IN MORE DETAIL LATER IN THIS MODULE.
 - ☞ TO CONSTITUTE THE CONDITION OF THE OFFENSE BEING COMMITTED IN THE PRESENCE OF THE FIRE POLICE OFFICER, THE OFFENSE MUST HAVE HAPPENED WITHIN THE RANGE OF ONE OR MORE OF THE OFFICER'S SENSES.

EXAMPLE E

A CITIZEN'S CAR IS LEGALLY PARKED BUT IS HAMPERING THE FIRE COMPANY OPERATIONS IN FIGHTING THE FIRE.
THE FIRE POLICE OFFICER MUST IN THE FIRST INSTANCE, SEE THE CONDITION EXISTING AND SECONDLY, ORDER THE PERSON TO REMOVE THE VEHICLE.
REFUSAL OF THE OWNER TO COMPLY WITH THE ORDER WOULD BE A VIOLATION OF NJSA 15:8-4 AND CALL FOR HIS OR HER ARREST.

EXAMPLE F

FIRE LINES HAVE BEEN ESTABLISHED AND A CITIZEN REFUSES TO STAY BEHIND THEM.
THE FIRE POLICE OFFICER AFTER SEEING THE VIOLATION ORDERS THE

CITIZEN TO COMPLY WITH THE REGULATION. REFUSAL TO OBEY WARRANTS ARREST.

FIRE POLICE ARE PROTECTING THE SCENE OF A FIRE FOR THE PURPOSE OF PRESERVING EVIDENCE UNTIL THE ARRIVAL OF THE INVESTIGATING AUTHORITY.

A CITIZEN'S REFUSAL TO OBEY ORDERS OF A FIRE POLICE OFFICER TO STAY AWAY FROM THE FIRE SCENE WILL CONSTITUTE THE VIOLATION AND WARRANT THE ARREST.

- ☛ IT MUST BE REMEMBERED THAT ANY ORDER GIVEN BY THE FIRE POLICE OFFICER MUST BE A REASONABLE ONE FOR THE PURPOSE OF COMBATING SOME CONDITION EXISTING THAT IS DETRIMENTAL TO THE PUBLIC WELFARE.
 - ☞ IF THE CONDITION IS ONE THAT ENDANGERS LIFE AND PROPERTY AN ORDER TO OVERCOME THAT CONDITION WILL BE REASONABLE.
 - ☞ THE ORDER BEING GIVEN MUST BE SUCH THAT IT IS CAPABLE OF BEING CARRIED OUT.

EXAMPLE G

ORDERING A MOTOR VEHICLE TO BE MOVED THAT HAS MOTOR TROUBLE AND ARRESTING THE OWNER FOR FAILURE TO COMPLY WITH THE ORDER.

ORDER A PERSON IN FRONT OF A CROWD TO MOVE BACK WHEN HE IS UNABLE TO DO SO DUE TO THE PRESSING OF THE CROWD AND THEN ARRESTING HIM FOR FAILURE TO COMPLY.

- ☞ THE ORDER GIVEN BY THE FIRE POLICE MUST NOT MAKE UNREASONABLE DEMANDS ON THE CITIZENS.

EXAMPLE H

REQUIRING A PERSON TO LEAVE THE SCENE ENTIRELY WHEN MOVING BACK WOULD HAVE ACCOMPLISHED THE FIRE POLICE OFFICER'S PURPOSE.

REQUIRING A PERSON TO DAMAGE HIS CAR WHEN LESS SEVERE MEASURES WOULD HAVE BEEN SUFFICIENT.

☛ **NJSA 2A:122-8 OBSTRUCTING THE EXTINGUISHING OF FIRES; DAMAGING FIRE APPARATUS**

THE LAW READS AS FOLLOWS: ANY PERSON WHO, DURING AN ALARM OF FIRE, WILLFULLY HINDERS, PREVENTS OR DETERS, BY ANY DEVICE WHATSOEVER, A FIREMAN OR OTHER PERSON FROM GOING TO OR RETURNING FROM THE PLACE WHERE ANY BUILDING OR OTHER PROPERTY IS ON FIRE, OR FROM WHICH AN ALARM PROCEEDS, OR FROM AIDING AND ASSISTING IN THE EXTINGUISHING THE FIRE, OR SUCH ALARM OF FIRE, IF FALSE, OR WILLFULLY OBSTRUCTS OR HINDERS THE PASSAGE OF A FIRE ENGINE, HOOK AND LADDER TRUCK OR OTHER FIREFIGHTING APPARATUS OR EQUIPMENT, IN GOING TO OR FROM THE FIRE PLACE FROM WHICH THE ALARM PROCEEDS, OR WHERE THE BUILDING OR OTHER PROPERTY MAY BE BURNING IS GUILTY OF A MISDEMEANOR.

- ☛ THE WORD "WILLFULLY" AS USED IN THE STATUTE INDICATES THAT THERE IS A NEED FOR A SPECIFIC INTENT ON THE PART OF THE ACCUSED IN ORDER TO HAVE SUCCESSFUL PROSECUTION.
- ☛ IF THE HINDRANCE IS FOR REASON OTHER THAN TO DELAY FIRE EQUIPMENT, NO ARREST SHOULD BE MADE.
- ☛ THE STATUTE INCLUDES THE RETURN TRIP OF THE EQUIPMENT EVEN THOUGH NO IMMEDIATE EMERGENCY EXISTS.
- ☛ ANY DELAY IN THE APPARATUS' RETURN TO THE FIREHOUSE COULD BE DISASTROUS SHOULD ANOTHER ALARM COME IN.
- ☛ THE STATUTE REMAINS IN FORCE, EVEN THOUGH THE ALARM BEING ANSWERED OR RETURNED FROM WAS FALSE.

NJSA 2A:122-9 DAMAGING FIRE ALARM SYSTEM: FALSE ALARMS

ANY PERSON WHO WILLFULLY OR MALICIOUSLY: DESTROYS OR INJURES ANY OF THE WIRES, POSTS, MACHINES, BELLS, BOXES, LOCKS OR OTHER APPARATUS OF ANY FIRE ALARM SYSTEM OF A MUNICIPALITY OF THIS STATE.

ENFORCEMENT ATTITUDES

THIS IS ALSO KNOWN AS "PUBLIC RELATIONS" OR THE ART OF GETTING ALONG WITH PEOPLE AND HAVING THEM CONSIDER YOU IN A FAVORABLE WAY.

IN THIS DAY AND AGE, PUBLIC RELATIONS IS JUST AS IMPORTANT IN THE EMERGENCY SERVICES (FIRE, POLICE, EMS) AS IT IS IN PRIVATE INDUSTRY.

IT IS THE JOB OF ALL MEMBERS OF THE ORGANIZATION TO BE INVOLVED IN PUBLIC RELATIONS.

AN IMPORTANT PART OF THIS IS THE ABILITY TO ALWAYS DO A BETTER JOB WHILE ON DUTY.

NO AMOUNT OF FAVORABLE PUBLICITY CAN OVERCOME THE DAMAGE DONE BY ANY MEMBER DOING THIS JOB IMPROPERLY.

IT IS IMPORTANT THAT YOU SHOW INTEREST TO THE PEOPLE WHEN THEY TALK TO YOU. ALWAYS REMEMBER THAT THE PERSON CAME TO YOU.

REMEMBER THAT WHEN YOU TALK TO A PERSON IN AN OFFICIAL CAPACITY, IT IS PROBABLY THE FIRST AND LAST TIME YOU WILL HAVE CONTACT WITH THEM. THE IMPRESSION THAT YOU MAKE WILL HAVE A LASTING IMPRESSION ON HOW THEY VIEW THE ORGANIZATION AS A WHOLE. ALWAYS REMEMBER: **DEVELOP SINCERITY AND ENTHUSIASM ABOUT THE JOB AND YOUR WORK.**

MODULE 9 - COURTS

INTRODUCTION

AS A MEMBER OF A LAW ENFORCEMENT AND CONTROL ORGANIZATION KNOWN AS FIRE POLICE, YOU ARE ALSO CONSIDERED AN OFFICER OF THE COURT. IT IS YOUR RESPONSIBILITY TO KNOW YOUR PLACE IN THE LOCAL COURT SYSTEM.

AS FIRE POLICE YOU DO HAVE CERTAIN POLICE POWERS TO ENFORCE CERTAIN LAWS OF THE LAND. WHAT THESE LAWS ARE AND WHAT IS EXPECTED OF YOU IN ENFORCING THEM WILL BE GONE OVER IN THIS COURSE.

THIS LESSON WILL INTRODUCE YOU TO SOME OF THE BASIC POWERS AND FUNCTIONS OF THE COURTS AS THEY RELATE TO YOUR JOB AND POSITION.

JURISDICTION

THE TYPE OF COURT THAT YOU WILL DEAL WITH IS COMMONLY KNOWN AS THE MUNICIPAL COURT.

THE MUNICIPAL COURT HAS JURISDICTION OVER OFFENSES OCCURRING WITHIN THE MUNICIPALITY IN WHICH IT IS LOCATED AND SERVES.

- ☛ COURT RULES REQUIRE THE OFFENDER TO BE BROUGHT BEFORE THE NEAREST AVAILABLE JUDGE.
- ☛ IF NO JUDGE FROM THAT MUNICIPALITY IS AVAILABLE, THEN THE NEXT NEAREST JUDGE MAY BE USED.
- ☛ IF NO MUNICIPAL COURT HAS BEEN ESTABLISHED, THE COUNTY SUPERIOR COURT IS USED.

JURISDICTION OVER SPECIFIC OFFENSES.

- ☛ THE JUDGE HAS POWER TO ACT IN A SUMMARY MANNER IN ANY VIOLATIONS OF N. J. S. A. 15:8-4.
- ☛ IN THOSE CASES WHERE THE FIRE POLICE OFFICER HAS MADE AN ARREST FOR FAILURE TO OBEY HIS OR HER REASONABLE ORDERS, THE COMPLAINT WILL CHARGE "VIOLATION OF N. J. S. A. 15:8-4".
- ☛ IN CASES OF DISORDERLY PERSON VIOLATIONS, THE COMPLAINT WILL CHARGE THE SPECIFIC STATUTE THAT HAS BEEN VIOLATED.
WHERE CRIMES ARE COMMITTED, EITHER MISDEMEANORS OR HIGH MISDEMEANORS, AGAIN THE SPECIFIC STATUTE VIOLATED WILL BE CHARGED IN THE COMPLAINT.

FUNCTIONS

THERE IS A SPECIFIC SET OF FUNCTIONS TO BE FOLLOWED TO HAVE A VIOLATOR OF A LAW BROUGHT BEFORE THE JUDGE. IT IS IMPORTANT THAT YOU UNDERSTAND THE TERMS AND THE FUNCTIONS CONNECTED WITH THEM.

- ☛ COMPLAINT - AN ACCUSATION OF A VIOLATION OF A LAW BROUGHT AGAINST A

- ☛ COMPLAINT - AN ACCUSATION OF A VIOLATION OF A LAW BROUGHT AGAINST A PERSON BY AN OTHER PERSON.
 - ☞ THE COMPLAINT MUST BE SIGNED BEFORE A JUDGE HAVING JURISDICTION IN THAT AREA.
 - ☞ IT MUST BE SIGNED BY THE PERSON MAKING THE ACCUSATION.
 - ☞ IT MUST NAME OR DESCRIBE THE DEFENDANT
 - ☞ IT MUST DESCRIBE THE DEFENDANT'S ACTIONS WHICH ARE THE BASIS FOR THE COMPLAINT AND THOSE ACTIONS MUST BE AGAINST THE LAW.
 - ☞ IT MUST INCLUDE INFORMATION CONCERNING THE TITLE OF THE VIOLATION.
 - ☞ IT MUST STATE THE TIME AND DATE OF THE VIOLATION.
 - ☞ IT MUST CONTAIN INFORMATION REGARDING THE LOCALITY OF THE VIOLATION.
- ☛ A FIRE POLICE OFFICER SHOULD USE CAUTION BEFORE MAKING OPEN ACCUSATIONS REGARDING PRIVATE CITIZENS.
- ☛ **THERE MUST BE REASONABLE GROUNDS GIVEN TO THE JUDGE TO SUBSTANTIATE THE ACCUSATION.**
- ☛ WARRANTS - AN ORDER OF THE COURT ISSUED BY THE JUDGE.
 - ☞ FOR EACH COMPLAINT A WARRANT SHALL BE ISSUED.
 - ☞ IF THE ACCUSED IS NOT YET IN CUSTODY, THE WARRANT IS NECESSARY TO BRING ABOUT HIS ARREST.
 - ☞ IF THE ACCUSED IS ALREADY IN CUSTODY AT THE TIME OF THE SIGNING OF THE COMPLAINT, THE WARRANT MUST BE ISSUED BEFORE THE COURT MAY OBTAIN JURISDICTION OVER THE ACCUSED.
 - ☞ ALL OF THE INFORMATION INCLUDED IN THE COMPLAINT MUST BE INCLUDED IN THE WARRANT.
 - ☞ THE WARRANT MUST BE SIGNED BY THE JUDGE.
 - ☞ IN GENERAL, WHEN A COMPLAINT HAS BEEN SIGNED BY THE FIRE POLICE TO BRING ABOUT AN ARREST, IT IS THE POLICE OFFICER WHO WILL MAKE THE ARREST.
- ☛ SUBPOENA - A DIRECTIVE BY THE COURT TO A PERSON TO APPEAR BEFORE THAT COURT FOR THE PURPOSE OF GIVING EVIDENCE AT A SPECIFIC DATE AND TIME.
 - ☞ FIRE POLICE OFFICERS WHO HAVE CONVEYED INFORMATION TO THE POLICE MAY RECEIVE A SUBPOENA TO TESTIFY REGARDING THAT INFORMATION.
 - ☞ CARE WILL BE USED BY THE POLICE OFFICER TO AVOID UNNECESSARILY CALLING THE FIRE POLICE OFFICER TO COURT.

FIRE POLICE DEMEANOR IN COURT

IF THE NEED ARISES FOR THE FIRE POLICE OFFICER TO APPEAR IN COURT, THERE ARE SEVERAL ITEMS THAT SHOULD BE REMEMBERED.

PROPER DEMEANOR

- ☛ BE PUNCTUAL
- ☛ BE NEAT IN GROOMING AND CLOTHING (**PROFESSIONAL**)
- ☛ WHEN CALLED TO THE WITNESS STAND, WALK ERECT AND BRISKLY.
- ☛ WHEN ON THE WITNESS STAND:

- ☞ SIT ERECT
- ☞ SPEAK CLEARLY AND BE CALM
- ☞ EXPLAIN YOUR ANSWERS IF NECESSARY
- ☞ ALWAYS TELL THE TRUTH
- ☞ DO NOT VOLUNTEER INFORMATION
- ☞ BE FRANK, MODEST, AND NATURAL
- ☞ DO NOT BE AFRAID TO SAY "I DO NOT KNOW"

MODULE 10 - RECOMMENDED PROTECTIVE CLOTHING AND EQUIPMENT

INTRODUCTION

THE INCIDENTS THAT THE FIRE POLICE HAVE TO WORK AT MAY BE AT THE VERY LEAST, HAZARDOUS. WHILE ASSISTING THE FIRE DEPARTMENT AND POLICE DEPARTMENT IN THEIR JOBS IS IMPORTANT, IT IS ALSO IMPORTANT THAT THE FIRE POLICE HAVE THE PROPER PROTECTIVE GEAR TO KEEP THEM OUT OF HARM'S WAY.

THE PROPER EQUIPMENT AND UNIFORM IS THE INDICATION OF A PROFESSIONAL. IT IS IMPORTANT THAT THE FIRE POLICE DISPLAY A PROFESSIONAL IMAGE AT ALL TIMES, AND ESPECIALLY WHILE DOING THEIR JOBS AT AN EMERGENCY.

THIS MODULE WILL DESCRIBE THE SUGGESTED GEAR THAT A FIRE POLICE SHOULD HAVE TO PROPERLY AND PROFESSIONALLY DO THEIR JOB.

GENERAL CLOTHING REQUIREMENTS

THE ITEMS LISTED HERE AND THROUGHOUT THE MODULE ARE SUGGESTED, AND DOES NOT MEAN THAT AN INDIVIDUAL FIRE COMPANY IS MANDATED TO SUPPLY THIS EQUIPMENT TO THE FIRE POLICE. BUT IT IS SUGGESTED THAT IN ORDER TO MAINTAIN A SAFE AND HEALTHY ORGANIZATION, THE FOLLOWING EQUIPMENT BE PROVIDED.

GENERAL GEAR

- ☛ BADGE (MANDATED BY LAW) - THIS SHOWS A SIGN OF PROFESSIONALISM AND IS SOMETHING THAT THE AVERAGE CITIZENRY CAN IDENTIFY WITH.
- ☛ THE BADGE SHOULD INDICATE:
 - ☐ WHAT YOU ARE (FIRE POLICE)
 - ☐ THE NAME OF THE DEPARTMENT
 - ☐ WHAT RANK YOU ARE (OFFICER, CAPTAIN, ETC.)
 - ☐ AS AN OPTION A LINE NUMBER OR IDENTIFICATION NUMBER.
- ☛ WRITING INSTRUMENTS (PAPER, PEN/PENCIL)
 - ☐ IN ORDER TO TAKE NOTES AND TO WRITE DOWN ANY POSSIBLE ORDERS OR COMMANDS IT IS NECESSARY TO HAVE THE PROPER WRITING INSTRUMENTS.
- ☛ PROTECTIVE HEAD GEAR
 - ☐ IT IS IMPORTANT TO HAVE THE PROPER HEAD GEAR FOR YOU PROTECTION AT AN EMERGENCY SCENE.
 - ☐ TYPE OF HEAD GEAR CAN INCLUDE:
 - ✓ FIREFIGHTER HELMETS
 - ✓ CONSTRUCTION HARD HATS
 - ✓ POLICE RIOT STYLE HELMETS
 - ☐ THE HELMET SHOULD CONTAIN THE TITLE OF FIRE POLICE AND THE NAME OF THE ORGANIZATION YOU ARE WITH.
- ☛ GOGGLES - THESE ARE TO BE USED TO PROTECT YOU EYES WHILE YOU ARE DOING YOUR JOB
- ☛ FLASH LIGHT WITH WAND

- ☐ AT AN EMERGENCY SCENE YOU MAY BE AIDING IN THE SEARCH FOR A MISSING

PERSON; IN ORDER TO THIS YOU WILL NEED SOME KIND OF LIGHTING DEVICE TO AID IN THE SEARCH.

- ☞ IF YOU ARE DIRECTING TRAFFIC, A FLASHLIGHT WITH A WAND WILL AID YOU IN CONTROLLING THE FLOW OF TRAFFIC, AND ACT AS A WARNING DEVICE SO AS NOT TO BE HIT BY AN ONCOMING VEHICLE.
- ☞ WHISTLE - THIS IS AN AUDIBLE WARNING DEVICE THAT CAN BE USED TO NOTIFY PERSONS TO DANGER OR TO CONTROL TRAFFIC FLOW.
- ☞ REFLECTIVE VEST/COAT
 - ☞ IN ORDER TO MAKE YOURSELF MORE VISIBLE TO PEOPLE AT AN EMERGENCY SCENE, SOME SORT OF REFLECTIVE VEST OR COAT SHOULD BE WORN.
 - ☞ AS HAS BEEN SAID BEFORE YOUR SAFETY IS PARAMOUNT, AND A REFLECTIVE VEST/COAT WILL AID YOU IN KEEPING SAFE.

INCLEMENT WEATHER CLOTHING

SINCE IT IS NOT ALWAYS SUNNY AND WARM WHEN AN EMERGENCY OCCURS, IT IS IMPORTANT TO HAVE THE PROPER GEAR FOR ALL TYPES OF WEATHER.

SOME OF THE PROPER GEAR SHOULD BE:

- ☞ BOOTS
 - ☞ THIS WILL AID YOU IN WET OR COLD WEATHER TO KEEP YOU WARM.
 - ☞ IF YOU BECOME INVOLVED IN EVACUATION DURING FLOODS IT CAN KEEP YOU DRY
 - ☞ THEY ALSO PROVIDE PROTECTION FOR YOUR FEET AT ACCIDENT AND FIRE SCENES.
- ☞ BUNKER PANTS
 - ☞ THESE WILL PROVIDE WARMTH IN COLD WEATHER AND PROTECT YOUR LOWER BODY AT FIRE AND ACCIDENT SCENES.
- ☞ GLOVES
 - ☞ THEY ARE DESIGNED TO KEEP YOUR HAND WARM AND DRY.
 - ☞ THEY WILL ALSO PROTECT YOUR HANDS FROM POSSIBLE INJURIES OR CUTS AT THE EMERGENCY SCENE.

AS NOTED MAKE SURE TO BRING WARM CLOTHING IN THE COLDER WEATHER, AND IT IS A GOOD IDEA TO HAVE A CHANGE OF CLOTHING IF YOUR EQUIPMENT DOES GET WET.

GEAR & CLOTHING FOR TRAFFIC CONTROL

ONE OF THE MORE COMMON JOBS FOR FIRE POLICE IS THE CONTROL OF TRAFFIC AT AN EMERGENCY SCENE. IT IS IMPORTANT THAT THE INDIVIDUAL HAVE THE PROPER EQUIPMENT TO MAKE THIS JOB AS SAFE AS POSSIBLE.

SOME OF THE SUGGESTED GEAR AND EQUIPMENT ARE:

- ☞ REFLECTIVE CONES
- ☞ FLARES
- ☞ ROAD SIGNS
- ☞ FIRE LINE TAPE
- ☞ COMMUNICATIONS EQUIPMENT (RADIO, CELLULAR TELEPHONE)

MODULE 11 - MOTOR VEHICLE & RED/BLUE LIGHT LAWS

INTRODUCTION

ONE OF THE PRIMARY DUTIES OF THE FIRE POLICE OFFICER IS TRAFFIC CONTROL. IN ORDER TO PROPERLY EXECUTE THIS DUTY, THE FIRE POLICE OFFICER SHOULD HAVE AN UNDERSTANDING OF THE NEW JERSEY MOTOR VEHICLE LAWS.

THIS LESSON WILL INTRODUCE THE FIRE POLICE OFFICER TO THE NEW JERSEY MOTOR VEHICLE LAWS OVERALL, AND CONCENTRATE ON THOSE LAWS THAT PERTAIN DIRECTLY TO THE FIRE POLICE OFFICER.

IN THIS LESSON WE WILL COVER THE BASIC LAWS, AND ALSO COVER THE LAWS COVERING USE AND PLACEMENT OF RED AND BLUE EMERGENCY LIGHTS ON MOTOR VEHICLES.

MOTOR VEHICLE LAWS

MOTOR VEHICLE LAW DEFINED

THE CHAPTER OF THE NEW JERSEY STATUTES THAT DEALS WITH THE OPERATION, LICENSING, AND ALL REGULATIONS CONCERNING MOTOR VEHICLES AND THE PRIVILEGE OF OPERATING SAME.

DRIVING AND ALL OTHER ASPECTS OF MOTOR VEHICLE OPERATION AND REGISTRATION IS A PRIVILEGE NOT A RIGHT. NO ONE HAS ANY RIGHTS TO OPERATE A MOTOR VEHICLE, THEREFORE THE PRIVILEGE CAN BE REVOKED BY STATUTES FOR VIOLATIONS THERE TO. CHAPTERS OF TITLE 39 THAT RELATE TO FIRE POLICE

- 39:3 REGISTRATION AND LICENSING
- 39:4 TRAFFIC REGULATION
- 39:5 ENFORCEMENT
- 39:6 FINANCIAL LIABILITY & INSURANCE REGULATIONS
- 39:8 INSPECTION OF MOTOR VEHICLES

TITLE 39 OF THE NEW JERSEY STATUTES GOVERN ALL ASPECTS OF MOTOR VEHICLE OPERATION AND DOCUMENTATION. IT SETS FORTH ALL THE RULES THAT ALL PERSONS MUST ADHERE TO AND IMPLEMENT.

TRAFFIC ENFORCEMENT - STATUTES

STATUTES THAT RELATE DIRECTLY TO FIRE POLICE.

CHAPTER 3

- 39:3-54.7 EMERGENCY LIGHTS ON VEHICLES
- 39:3-54.8 EMERGENCY LIGHTS ON VEHICLES
- 39:3-54.9 EMERGENCY LIGHTS ON VEHICLES

39:3-54.10	EMERGENCY LIGHTS ON VEHICLES
39:3-54.11	EMERGENCY LIGHTS ON VEHICLES
39:3-54.12	EMERGENCY LIGHTS ON VEHICLES
39:3-54.15	EMERGENCY LIGHTS ON VEHICLES
39:3-54.16	EMERGENCY LIGHTS ON VEHICLES
39:3-54.17	EMERGENCY LIGHTS ON VEHICLES
39:3-54.18	EMERGENCY LIGHTS ON VEHICLES
39:3-54.19	EMERGENCY LIGHTS ON VEHICLES
39:3-54.20	EMERGENCY LIGHTS ON VEHICLES

CHAPTER 4

39:4-56.1	
39:4-56.5	
39:4-90	RIGHT OF WAY AT INTERSECTION
39:4-91	RIGHT OF WAY OF EMERGENCY VEHICLES
39:4-92	AUTHORIZED EMERGENCY VEHICLES
39:4-92.1	FIRE DEPARTMENT VEHICLES
39:4-96	RECKLESS DRIVING
39:4-97	CARELESS DRIVING
39:4-97.1	BLOCKING TRAFFIC BY SLOW DRIVING
39:4-119	
39:4-122	
39:4-136	
39:4-137	
39:4-138	PARKING RESTRICTIONS
39:4-213	
39:4-214	
39:4-215	

ALL FIRE POLICE OFFICERS SHOULD UTILIZE LOCAL OR STATE POLICE OFFICERS WHEN CHARGING OPERATORS WITH MOTOR VEHICLE VIOLATIONS.

IT IS IMPORTANT TO UNDERSTAND THAT FIRE POLICE DO NOT HAVE ENFORCEMENT POWERS UNDER TITLE 39. THEY CAN HAVE SUMMONSES ISSUED ON "INFORMATION AND BELIEF".

EACH FIRE POLICE OFFICER MUST BE ABLE TO POSITIVELY IDENTIFY THE OPERATOR OF THE MOTOR VEHICLE AND THE TIME AND LOCATION OF THE INCIDENT.

YOU HAVE TO APPEAR IN COURT AND PROVE YOUR CASE TO THE JUDGE. IT WILL NOT BE THE POLICE OFFICERS RESPONSIBILITY.

IF FIRE POLICE OFFICERS WITNESS VIOLATIONS AMONG THE FIRE DEPARTMENT PERSONNEL, THEY MUST TAKE WHATEVER ACTION THE DEPARTMENT CALLS FOR. THIS DOESN'T MEANT YOU CANNOT ALSO WRITE, OR HAVE WRITTEN, A SUMMONS WITH THE POLICE DEPARTMENT.

39:4-103 GIVES ONLY MILITARY ESTABLISHMENTS DURING TIME OF RIOT, INSURRECTION AND INVASION, AND POLICE OFFICERS ENGAGED IN THEIR JOB, THE EXEMPTION FOR TITLE 39. **NO ONE ELSE.....NO MATTER WHAT!**

EMPHASIS ON ENFORCEMENT

- ☛ EACH OFFICER MUST UNDERSTAND THE REASON FOR ENFORCING MOTOR VEHICLE LAWS. WHEN A FLAGRANT VIOLATION OF THE LAW OR WHEN A VIOLATION OF THE LAW ENDANGERS PERSONNEL OR THE CITIZENRY WHILE YOU ARE ON DUTY, THEN APPROPRIATE ACTION IS NECESSARY. BUT, THERE ARE TIMES WHEN THE IMMEDIATE DUTIES OF AN OFFICER WOULD PRECLUDE HIM FROM GETTING THE NECESSARY INFORMATION OR BEING UNABLE TO IDENTIFY THE DRIVER. IN THIS CASE WE MAY HAVE TO FOREGO HAVING A SUMMONS ISSUED.
- ☛ IN LIGHT OF THE ABOVE MENTIONED PROBLEMS THAT MAY PRECLUDE AN OFFICER FROM ISSUING A SUMMONS, THERE ARE TIMES WHEN DISCRETION MAY PREVAIL. AGAIN, WE MUST NOT LOSE SIGHT OF OUR MAIN GOAL. WE ARE **NOT** THE POLICE.
- ☛ IF, AND WHEN, A SUMMONS IS ISSUED YOU MUST BE ABLE TO PROSECUTE THE MATTER IN COURT. IN ORDER TO DO THIS, EACH OFFICER MUST FOLLOW SEVERAL RULES:
 - ☞ POSITIVE IDENTIFICATION OF THE DRIVER OR OPERATOR.
 - ☞ DOCUMENT THE DATE & TIME OF THE INCIDENT.
 - ☞ DOCUMENT THE LOCATION AND DIRECTION OF TRAVEL OF THE VEHICLE(S).
 - ☞ LIST ALL OCCUPANTS OF THE VEHICLE AND THEIR LOCATION WITHIN SAME.
 - ☞ ABOVE ALL, YOU MUST BE ABLE TO ARTICULATE THE VIOLATION AND PROVE THAT THE OPERATOR DID IN FACT VIOLATE THE LAW ACCORDING TO THE CHAPTER OR SECTION YOU CITE HIM OR HER UNDER.

BLUE LIGHT LAW

NEW JERSEY STATUTE - 39:3-54.7 - MEMBER OF FIRE COMPANY OR FIRST AID OR RESCUE SQUAD; EMERGENCY WARNING LIGHT ON MOTOR VEHICLE.

AN ACTIVE MEMBER IN GOOD STANDING OF A VOLUNTEER FIRE COMPANY OR VOLUNTEER FIRST AID OR RESCUE SQUAD RECOGNIZED BY AND RENDERING SERVICES IN ANY MUNICIPALITY MAY DISPLAY ON A MOTOR VEHICLE OWNED BY HIM OR BY A MEMBER OF HIS OR HER HOUSEHOLD AN EMERGENCY WARNING LIGHT OR LIGHTS AS PROVIDED IN THIS ACT.

ADDITIONAL STATUTES THAT DIRECTLY REFLECT ON THIS STATUTE.

- 39:3-54.8 TIME OF OPERATION
- 39:3-54.9 SPECIFICATIONS
- 39:3-54.10 PLACEMENT ON VEHICLE
- 39:3-54.11 IDENTIFICATION CARD
- 39:3-54.12 RIGHT OF WAY

39:3-54.13 VIOLATIONS

UNDER 39:3-54.12, BE ADVISED THAT FIRE DEPARTMENT MEMBERS **DO NOT** HAVE THE RIGHT TO VIOLATE MOTOR VEHICLE LAW.

STATUTE 39:4-92 STATES THAT ONLY POLICE OFFICERS AND MEMBERS OF THE MILITARY ARE EXEMPT FROM MOTOR VEHICLE LAW.

RED LIGHT LAW

STATUTE - 39:3-54.15

THIS LAW IS RESTRICTIVE AND IS REGULATED TO ONLY CHIEFS AND FIRST ASSISTANT CHIEFS.

AN ACTIVE CHIEF OR FIRST ASSISTANT CHIEF OF A VOLUNTEER FIRE COMPANY RECOGNIZED BY AND RENDERING SERVICE IN ANY MUNICIPALITY MAY DISPLAY ON A MOTOR VEHICLE OWNED BY HIM AND REGISTERED IN HIS NAME A RED EMERGENCY WARNING LIGHT OR LIGHTS, A SIREN OR BOTH, AS PRESCRIBED IN THIS ACT. THE SIZE AND TYPE OF LIGHTS AND SIREN, AND THE LOCATION OF THEIR CONTROLS, SHALL BE DETERMINED BY THE DIRECTOR OF THE DIVISION OF MOTOR VEHICLES.

ADDITIONAL STATUTES THAT DIRECTLY REFLECT ON THIS STATUTE.

- 39:3-54.16 MOUNTING
- 39:3-54.17 SIRENS
- 39:3-54.18 IDENTIFICATION CARDS
- 39:3-54.19 PRIVILEGES
- 39:3-54.20 SUSPENSION AND REVOCATION

MODULE 12 - TRAFFIC CONTROL

INTRODUCTION

A PRIMARY JOB OF THE FIRE POLICE IS THAT OF TRAFFIC CONTROL AT FIRE AND OTHER EMERGENCY SCENES. IT IS IMPORTANT THE FIRE POLICE UNDERSTAND THE IMPORTANCE OF PROPERLY PERFORMING THIS TASK.

IN ORDER TO DO THIS CORRECTLY YOU MUST UNDERSTAND THAT THERE ARE SEVERAL TYPES OF SCENARIOS THAT WILL REQUIRE THE USE OF TRAFFIC CONTROL. IN ORDER FOR THIS TO BE DONE SAFELY, THERE ARE CERTAIN RULES THAT MUST BE ADHERED TO.

IN THIS MODULE WE WILL COVER THE TYPES OF SITUATIONS WHERE TRAFFIC CONTROL WILL BE DONE, CERTAIN RULES TO OBEY IN ORDER TO BE SAFE, AND SEVERAL METHODS OF DIRECTING TRAFFIC USING MANUAL DEVICES NORMALLY CARRIED BY FIRE POLICE.

CONTROLLING TRAFFIC

IDENTIFICATION WHILE ON DUTY

- ☛ WEAR THE AUTHORIZED FIRE POLICE BADGE ON THE LEFT BREAST OF THE OUTER MOST GARMENT YOU ARE WEARING.
- ☛ IF, WHILE ON DUTY, YOU ARE REQUIRED TO ARREST SOMEONE FOR FAILING TO OBEY AN ORDER FROM THE FIRE POLICE, YOU MAY ARREST HIM AND KEEP HIM UNTIL THE INCIDENT IS TERMINATED.
- ☛ IF THE PERSON IS FOUND GUILTY IN A COURT OF LAW, THE FINE THAT CAN BE LEVIED IS UP TO \$200.00.

PREVENTION OF CONGESTION AND ACCIDENTS

- ☛ DO NOT ALLOW TRAFFIC TO BECOME CONGESTED WITH PEOPLE STOPPING TO WITNESS THE INCIDENT. KEEP TRAFFIC MOVING.
- ☛ GIVE CLEAR, AUDIBLE SIGNALS TO MOTORISTS SO THERE IS NO MISUNDERSTANDING.
- ☛ KNOW AREA AND ROADS THAT YOU MAY HAVE TO USE TO DIVERT TRAFFIC. GIVE CLEAR, UNDERSTANDABLE DIRECTIONS WHEN ROUTING TRAFFIC.
- ☛ KEEP PASSAGES OPEN FOR EMERGENCY VEHICLES. USE REMOTE SAFEGUARDS (CONES, FLARES) TO WARN THAT TRAFFIC IS BEING ROUTED.

PARKING

- ☛ KEEP SPECTATORS FROM PARKING AT OR NEAR THE SCENE. ESTABLISH AND MAINTAIN TRAFFIC POSTS AS NEEDED AT THE SCENE.

STOPPING VEHICLES

- ☛ USE EXTREME CAUTION SO AS NOT TO CAUSE AN ACCIDENT. USE DISTINCT SIGNALS DURING DAY OR NIGHT WITH FLASHLIGHTS OR ILLUMINATED BATONS.

PROCEDURES AT MOTOR VEHICLE ACCIDENT

PROCEED TO SCENE AS QUICKLY AND SAFELY AS POSSIBLE.

- ☛ QUICK ARRIVAL WILL HELP SAVE LIVES AND PROTECT PROPERTY. IT WILL HELP IN PROTECTING EVIDENCE THAT WILL STILL BE IN ITS ORIGINAL PLACE.
- ☛ WILL HELP IN THE PREVENTION OF ACCIDENTS AT THE SCENE.
- ☛ PROTECT AND SAFEGUARD THE PROPERTY OF THE INJURED FROM LARCENY AND DAMAGE.

PROTECT THE EMERGENCY SCENE

- ☛ KEEP NORMAL TRAFFIC MOVING AROUND THE EMERGENCY SCENE.
- ☛ PREVENT OTHER ACCIDENTS BY SETTING UP WARNING DEVICES.
- ☛ KEEP ROAD OPEN FOR EMERGENCY VEHICLES.
- ☛ ALLOW NO DISTURBANCE OF THE PHYSICAL EVIDENCE LYING ABOUT THE SCENE.

MANUAL TRAFFIC DIRECTION

TRAFFIC HAND SIGNALS

THE OFFICER ASSIGNED TO DIRECT TRAFFIC SHOULD KNOW HOW TO INDICATE TO DRIVERS AND PEDESTRIANS HOW, WHEN AND WHERE THEY MAY MOVE. IF THE SIGNALS ARE NOT UNDERSTOOD, MAINTAINING THE FLOW OF TRAFFIC AND PREVENTING CONGESTION CAN BECOME ALMOST IMPOSSIBLE. THE TRAFFIC OFFICER MUST USE AN UNDERSTANDABLE SIGN LANGUAGE CONSISTENT WITH GESTURES AND SIGNALS USED BY OTHER OFFICERS.

POSITION OF THE OFFICER

THE OFFICER DIRECTING TRAFFIC SHOULD STAND WHERE MOTORISTS AND PEDESTRIANS CAN SEE HE OR SHE CLEARLY.

THE OFFICER SHOULD STAND STRAIGHT, WITH WEIGHT EQUALLY DISTRIBUTED.

WHEN NOT SIGNALING, HANDS SHOULD BE AT THE SIDES.

THE OFFICER SHOULD STAND WITH SIDE TOWARD ON COMING VEHICLES.

GIVING HAND SIGNALS

STOPPING TRAFFIC

POINT AT DRIVER TO GET ATTENTION.

HOLD PALM IN RAISED POSITION UNTIL VEHICLE STOPS.

STARTING TRAFFIC

POINT AT DRIVER TO GET ATTENTION

SWING FOREARM IN ARC TOWARD DIRECTION OF TRAVEL.

TURN SIGNALS

POINT AT DRIVER TO GET ATTENTION.

POINT WITH EXTENDED ARM IN THE DIRECTION OF THE TURN.

USE OF THE WHISTLE

USE THE WHISTLE TO GET ATTENTION

THE WHISTLE SHOULD BE USED EFFECTIVELY

THE WHISTLE SHOULD BE BLOWN LOUD ENOUGH TO BE HEARD OVER TRAFFIC.

SIGNALS

ONE LONG BLAST "STOP"

TWO SHORT BLASTS "GO"

SEVERAL SHORT BLASTS ARE USED TO ATTRACT ATTENTION.

EXAMPLES

A MOTORIST WHO COMMITTED A VIOLATION BUT DROVE PAST THE OFFICER.

A MOTORIST ATTEMPTING TO PARK ILLEGALLY.

A MOTORIST OR PEDESTRIAN NOT RESPONDING TO A SIGNAL.

TRAFFIC SIGNALS WITH ILLUMINATED BATON OR FLASHLIGHT.

ILLUMINATED BATON OR FLASHLIGHT ARE USED MAINLY AT NIGHT.

ALL MOVES SHOULD BE EXAGGERATED SO THEY CAN BE SEEN.

GIVING BATON SIGNALS WITH BATON OR FLASHLIGHT.

STOPPING TRAFFIC

TO STOP A VEHICLE, THE OFFICER HOLDS THE BATON IN A VERTICAL POSITION IN FRONT OF HIM.

OFFICER SWINGS BATON IN AN ARC BACK AND FORTH IN FRONT OF BODY.

STARTING TRAFFIC

GET DRIVER'S ATTENTION

WITH FOREARMS, SWING BATON IN AN ARC TOWARD DIRECTION OF TRAVEL.

TURN SIGNALS

GET ATTENTION OF THE DRIVER.

USING AN EXTENDED ARM POINT THE BATON IN THE DIRECTION OF THE TURN.

USING FLASHLIGHT

THE OFFICER SHOULD NOT STAND DIRECTLY IN FRONT OF THE APPROACHING CAR.

TO GET ATTENTION, THE OFFICER SHOULD HOLD FLASHLIGHT AT ARMS LENGTH AND SWING FLASH LIGHT ACROSS THE PATH OF THE APPROACHING CAR AIMING BEAM ON ROADWAY.

LIST OF APPENDICES

APPENDIX A	GENERAL FACTORS DEALING WITH PEOPLE
APPENDIX B	NEW JERSEY LAWS APPLYING TO FIRE POLICE
APPENDIX C	COPY OF OATH OF OFFICE
APPENDIX D	GENERAL INFORMATION ON TRAFFIC CONTROL
APPENDIX E	RECOMMENDED PROTECTIVE CLOTHING FOR FIRE POLICE

APPENDIX A

GENERAL FACTORS DEALING WITH PEOPLE

1. A CLEAN, NEATLY DRESSED OFFICER AUTOMATICALLY MAKES A GOOD IMPRESSION
2. AVOID GIVING THE IMPRESSION THAT YOU ARE LOAFING. STAND TALL, LOOK ALERT.
3. OBEY TRAFFIC LAWS WHILE RESPONDING TO AN INCIDENT. YOU ARE NOT ABOVE THE LAW.
4. NEVER CRITICIZE ANOTHER MEMBER OF YOUR ORGANIZATION IN PUBLIC. IF YOU TO DISAGREE WITH A DECISION, TAKE THE PERSON ASIDE TO DISCUSS IT.
5. BE NATURAL AND FRIENDLY WHENEVER POSSIBLE AND BE FIRM WHEN NECESSARY.
6. PREPARE YOURSELF TO DO YOUR JOB EFFICIENTLY. EQUIPMENT SHOULD BE IN GOOD WORKING ORDER.
7. ALWAYS HAVE YOUR BADGE!
8. BE ALERT FOR OPPORTUNITIES OF PUBLIC EDUCATION. YOU REPRESENT YOUR COMMUNITY AND THE FIRE POLICE ORGANIZATION. YOU CAN SMILE AND SAY "THANK YOU" TO EASE A DRIVER'S FRUSTRATIONS.
9. EXERCISE TOLERANCE AND BE FREE FROM PREJUDICE. IN ADDITION TO BEING THE LAW, ITS THE RIGHT THING TO DO.
10. ADOPT AND MAINTAIN A PROFESSIONAL ATTITUDE. IF YOU EXPECT TO BE REGARDED AS A PROFESSIONAL, YOU HAVE TO ACT LIKE A PROFESSIONAL. EARN YOUR RESPECT!

APPENDIX B

NEW JERSEY LAWS APPLYING TO FIRE POLICE

N.J.S.A. 15:8-4 - FIRE POLICE APPOINTMENTS

N.J.S.A. 39:4-96 - RECKLESS DRIVING

N.J.S.A. 39:4-97 - CARELESS DRIVING

15:8-4. Appointment of members for police duties at fires and fire drills; term of office; qualification; oath; authority and duties; arrest and punishment of persons refusing to obey orders

Any duly organized volunteer fire company may provide for the appointment of certain of its members to perform certain police duties at fires and fire drills, for a term of office not exceeding five years from the date of the appointment. Such members shall, before entering upon their duties, qualify by taking and subscribing an oath that they will justly, impartially and faithfully discharge their duties according to the best of their ability and understanding. Said oath shall be administered by the municipal clerk and subscribed to in duplicate. The original copy of said oath shall be filed with the municipal clerk and the copy thereof filed with the secretary of the fire company making such appointment.

After appointment a member shall be eligible as a fire police and shall have full power and authority to act as such anywhere in the county in which he is appointed or in any other county in which he is called upon to act.

It shall be the duty of a member of the fire police to perform his duties under the supervision of the fire officer in charge of the fire or fire drill.

The duties of said fire police subject to the supervision aforesaid shall be to:

- (1) Protect property and contents.
- (2) Establish and maintain fire lines.
- (3) Perform such traffic duties as necessary, from the fire station to and at the vicinity of the fire, fire drill or other emergency call, until the arrival of a duly authorized police officer.
- (4) In the absence of investigating authorities, fire police shall investigate all causes of fires and preserve all evidence pertaining to questionable fires and turn evidence over to proper investigating authorities.

Last additions in text indicated by underline; deletions by ~~strikeouts~~

(5) Wear the authorized fire police badge on the left breast of the outermost garment while on duty.

Provided, however, nothing herein contained shall give the fire police or any of them the right to supersede a duly authorized police officer.

If any person shall unreasonably refuse to obey the orders of the fire police such fire police may arrest him and keep him under arrest until the fire is extinguished or the drill completed. If the offender is found guilty by a municipal court or ~~county district court~~ Superior Court, he shall be sentenced to pay a fine not exceeding \$200.00 and costs.

Amended by L.1991, c. 91, § 230, eff. April 9, 1991.

SPEED

39:4-96
Note 4

39:4-94.2

TRAFFIC REGUL

Law Review Commentaries

Dively dilemma. Larry Etzweiler. Identity of indictable and nonindictable offenses in determination of jeopardy. (1983) 8 Crim. Justice Q. 76. (1953) 7 Rutgers L.Rev. 413.

Library References

Automobiles ¶330, 359. WESTLAW Topic No. 48A. C.J.S. Motor Vehicles §§ 596 et seq., 609 et seq.

WESTLAW Electronic Research

See WESTLAW Electronic Research Guide following the Preface.

United States Supreme Court

Manslaughter prosecution following appeal of misdemeanor convictions for, among other traffic offenses, reckless driving, see *Thigpen v. Roberts*, 1984, 104 S.Ct. 2916, 468 U.S. 27, 82 L.Ed.2d 23.

Notes of Decisions

Crossing municipal or county lines 4
Defenses 7
Double jeopardy 9
Endangerment 1
Included offense 5
Injury or death 2
Liability 8
Multiple offenses 4
Rights of accused 6
Speed 3

injured or killed as result thereof, and violation of such provision is not a crime but calls for imposition of penalty on the offender. *State v. Shoopman*, 20 N.J.Super. 354, 90 A.2d 43 (A.D.1952) affirmed 11 N.J. 333, 94 A.2d 493.

3. Speed

One who drives his automobile at high rate of speed through main business area of community is guilty of reckless driving. *State v. Willhite*, 40 N.J.Super. 405, 123 A.2d 237 (Co.1956).

One may be guilty of reckless driving although no excessive speed is involved. *State v. Willhite*, 40 N.J.Super. 405, 123 A.2d 237 (Co.1956).

It is prima facie lawful to drive within the statutory speed limit, though the driver may still be liable for reckless driving in a proper case. *Baker v. Court of Special Sessions in and for Essex County*, 125 N.J.L. 127, 15 A.2d 102 (Sup. 1940).

4. Crossing municipal or county lines

Under this section, crossing of municipal or county lines of itself creates no new offense and does not make multiple offenses out of a single offense. *State v. Willhite*, 40 N.J.Super. 405, 123 A.2d 237 (Co.1956).

495

Library References

Automobiles ¶324.
WESTLAW Topic No. 48A.
C.J.S. Motor Vehicles § 588 et seq.

ARTICLE 12. SPEED

39:4-95. "Vehicle" defined

As used in this article, the word "vehicle" includes street

Historical and Statutory Notes

Source: L.1928, c. 281, Art. IX, § 4, p. 737.

Law Review Commentaries

Radar defense. Bruce F. Bogner (1985) 115 N.J.L.J. 760.

39:4-96. Reckless driving; punishment

A person who drives a vehicle on a highway heedlessly, in or wanton disregard of the rights or safety of others, in a manner as to endanger, or be likely to endanger, a person or property shall be guilty of reckless driving and be punished by imprisonment in the county or municipal jail for a period of not more than 6 months or by a fine of not less than \$50.00 or more than \$200.00, or both.

On a second or subsequent conviction he shall be punished by imprisonment for not more than 3 months, or by a fine of not more than \$100.00 or more than \$500.00, or both.

Amended by L.1955, c. 220, p. 868, § 1; L.1982, c. 45, § 3, eff. Sept.

Historical and Statutory Notes

Source: L.1928, c. 281, Art. IX, §§ 1, 2, p. 736.

The 1955 amendment rewrote the section which prior thereto read:

"A person who drives a vehicle on a highway carelessly and heedlessly, in willful or wanton disregard of the rights or safety of others, or without due caution and circumspection, and at a speed or in a manner so as to endanger, or be likely to endanger, a person or property, shall be guilty of reckless driving and be

punished by imprisonment in the county or municipal jail for a period of not more than thirty days, or by a fine of not more than one hundred dollars. On a second or subsequent conviction he shall be punished by imprisonment for not more than two months, or by a fine of not more than two hundred dollars, or both."

The 1982 amendment provided for minimum fines in both paragraphs.

Cross References

Complainant represented by attorney general on appeal, see § 39:5-20. Nonresident violator, report to state of residence, see § 39:4-9.1.

494

5. Included offense

If supported by evidence, lesser-included motor vehicle offenses, careless driving and reckless driving, were to be joined in prosecution for death by auto, and were to be brought to attention of jury by appropriate instructions, but had to be determined by judge; disposition of motor vehicle offenses was committed to municipal court within framework of long-standing, firmly fixed regulatory scheme; and explanation to jury that lesser-included offenses were to be determined by judge would mitigate potential influence of all-or-nothing charge. *State v. Muniz*, 118 N.J. 319, 571 A.2d 948 (1990).

Careless driving is lesser included offense of reckless driving and death by auto. *State v. Muniz*, 228 N.J.Super. 492, 550 A.2d 487 (A.D.1988), reversed on other grounds 118 N.J. 319, 571 A.2d 948.

Reckless driving is lesser included offense of death by auto, as proof required to establish death by auto is also sufficient to establish every element of reckless driving. *State v. Muniz*, 228 N.J.Super. 492, 550 A.2d 487 (A.D.1988), reversed on other grounds 118 N.J. 319, 571 A.2d 948.

Where death occurs, a drunk driver is to be charged with and tried for the greater offense of death by auto rather than lesser offense of reckless driving. *State v. Dively*, 92 N.J. 573, 458 A.2d 502 (1983).

While reckless driving may be a factor in determining whether a driver is under the influence of alcoholic beverages, it is not a necessary ingredient and, therefore, reckless driving is not a lesser included offense of a drunk driving charge. *State v. Roenicke*, 174 N.J.Super. 513, 417 A.2d 54 (L.1980).

Where motorist's speeding was such an integral part of reckless driving charge that it merged in greater charge of reckless driving, he could be convicted only for reckless driving. *State v. Willhite*, 40 N.J.Super. 405, 123 A.2d 237 (Co.1956).

Persons driving on the New Jersey Turnpike recklessly, carelessly or while under the influence of intoxicating liquor may be charged with violation of provisions of this Chapter prohibiting reckless and careless driving and driving

while under the influence of intoxicating liquor, and if convicted, may be punished pursuant to provisions of this Chapter providing penalties for such violations. *Atty.Gen.F.O.1958*, No. 17.

6. Rights of accused

Proceedings under this section of the Motor Vehicle Act are quasicriminal in nature and the basic rights of a defendant so charged are entitled to same protection as is normally accorded one accused of a criminal offense. *State v. Francis*, 67 N.J.Super. 377, 170 A.2d 476 (A.D.1961).

7. Defenses

Fact that damage to oncoming automobile caused when defendant crossed center line of highway at high speed was trivial and deviation from caution momentary was no defense to reckless driving prosecution. *State v. Nolan*, 1 N.J.Super. 280, 64 A.2d 238 (A.D.1949).

In prosecution on charge of causing death by reckless driving of motor vehicle, a charge that if defendant was blinded by headlights of automobiles traveling in opposite direction he was under duty to stop his automobile and endeavor to adjust his means of vision so that his vision might be restored and that if he failed to do so, he could not be excused by mere fact that oncoming headlights blinded him was proper. *State v. Kellow*, 136 N.J.L. 1, 53 A.2d 796 (Sup.1947) affirmed 136 N.J.L. 633, 57 A.2d 389.

8. Liability

In action to recover for wrongful death of pedestrian who was struck by automobile driven by defendant motorist, defendant's conviction for reckless driving arising out of same incident could not be used as conclusive proof of defendant's negligence or reckless indifference to consequences of his conduct. *Burd v. Verduyssen*, 142 N.J.Super. 344, 361 A.2d 571 (A.D.1976), certification denied 72 N.J. 459, 371 A.2d 64.

9. Double jeopardy

Jury verdict which is rendered in prosecution for death by auto and which negates factual predicate for lesser-included motor vehicle offenses such as careless or reckless driving would be

double jeopardy bar to trial court's reexamination of same body of evidence to come to contrary conclusion with respect to motor vehicle offenses. *State v. Muniz*, 118 N.J. 319, 571 A.2d 948 (1990).

Municipal court guilty plea to drunk driving, which included merged charges of reckless driving and failure to keep right, precluded, on double jeopardy grounds, subsequent prosecution for death by auto arising out of the same incident as the same evidence used to establish lesser charge of reckless driving was relied on to establish the death offense, notwithstanding that municipal court lacked jurisdiction over the death offense or that a motor vehicle violation is not a crime under the criminal code but a petty offense. *State v. Dively*, 92 N.J. 573, 458 A.2d 502 (1983).

Prosecution of indictments charging atrocious assault and battery was not barred by principles of double jeopardy, res judicata and collateral estoppel where defendant had been previously convicted in the municipal court with Motor Vehicle Act violations of reckless driving and leaving scene of accident, arising out of same fact situation. *State*

v. Currie, 41 N.J. 531, 197 A. (1964).

Where defendant drove his auto at excessive speed through three municipalities and defendant was found of reckless driving in municipal and subsequently defendant was guilty of a stop sign violation in the other municipal courts because defendant had gone through two stops in the township without stopping; offense of double jeopardy because first conviction was not available to defendant, since under the "factual" and "same transaction" tests was no identity of offenses. *State v. Francis*, 67 N.J.Super. 377, 170 A. (1961).

In view of fact that the offense of reckless driving is not a crime and offense of causing death by reckless driving is a crime requiring no proof of reckless driving, but as a result thereof, an acquittal for less driving does not make substantial trial of defendant on charge of "causing death by reckless driving" violation of the double jeopardy provision of U.S. Const. Amend. 5. *State v. Man*, 11 N.J. 333, 94 A.2d 493

39:4-97. Careless driving

A person who drives a vehicle on a highway carelessly, or without due caution and circumspection, in a manner so as to endanger or be likely to endanger, a person or property, shall be guilty of careless driving.

Amended by L.1951, c. 23, p. 87, § 54; L.1955, c. 220, p. 869, § 2.

Historical and Statutory Notes

Source: L.1928, c. 281, Art. IX, § 3, p. 736.

The 1951 amendment, in the text of the section as it read prior to the 1955 amendment, deleted "nor less" following "not greater" in the first paragraph; and added the second paragraph.

The 1955 amendment rewrote the section which prior thereto read:

"A person driving a vehicle on a highway shall drive it at a careful and prudent speed, not greater than is reason-

able and proper, having due regard for the traffic, surface and width of the highway, and of any other conditions then existing, and no person shall drive a vehicle on a highway at such a speed as to endanger the life, limb or property of a person.

"No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable flow of traffic except when a slower speed is necessary for safe operation in compliance with law."

Library References

Automobiles ¶330.
WESTLAW Topic No. 48A.
C.J.S. Motor Vehicles § 609 et seq.

WESTLAW Electronic Research

See WESTLAW Electronic Research Guide following the Preface.

Notes of Decisions

Defenses	10
Double jeopardy	12
Highways	2
Homicide	8
Included offenses	7
Jurisdiction	6
Negligence	11
Persons liable	3
Rights of accused	9
Validity	1
Visibility	5
Yielding right of way	4

1. Validity

This section met constitutional requirements as to a sufficient standard of conduct. *State v. Joas*, 34 N.J. 179, 168 A.2d 27 (1961).

2. Highways

Operation of motor vehicle in a metered parking lot did not take place on a "highway" within this section. *State v. Young*, 95 N.J.Super. 535, 231 A.2d 857 (Co.1967).

3. Persons liable

Where a person is suffering from a disease which he knows, or which a reasonable person should know, makes him subject to fainting, or weak spells, or seizures of a sort which may imperil his control of the vehicle, it may indicate a lack of due care for the person to drive on a public highway. *Kreis v. Owens*, 38 N.J.Super. 148, 118 A.2d 420 (A.D.1955).

Persons driving on the New Jersey Turnpike recklessly, carelessly or while under the influence of intoxicating liquor may be charged with violation of provisions of this Chapter prohibiting reckless and careless driving and driving while under the influence of intoxicating liquor, and, if convicted, may be punished pursuant to provisions of this

Chapter providing penalties for such violations. *Atty.Gen.F.O.1958*, No. 17.

4. Yielding right of way

Driver—who entered intersection without making sufficient observation of traffic crossing intersection from his right, who was obliged to yield right-of-way to such cross-traffic due to presence of flashing red beacon in his direction, and who failed to yield to approaching vehicle that had right-of-way in intersection, resulting in fatal collision in middle of intersection—was guilty of careless driving, in violation of N.J.S.A. 39:4-97, even though driver had made full stop at stop-line approximately 55 feet from near crosswalk of intersection, and his vision of traffic approaching intersection from his right was partially obscured by hedge to right of point at which he had made full stop. *Division of Motor Vehicles v. Levine*, 7 N.J.A.R. 40 (1981) reversed on other grounds 190 N.J.Super. 2, 461 A.2d 754.

5. Visibility

Driver of motor vehicle found to be driving within the speed limit, in a normal manner, maintaining observation of the roadway as the driver passed from a lighted intersection into a darker area of the roadway, and who struck an intoxicated pedestrian wearing dark clothing, was not operating the vehicle carelessly or in a manner contrary to this section. *Division of Motor Vehicles v. Ann DePalma*, 2 N.J.A.R. 100 (1981).

6. Jurisdiction

In view of interstate agreement giving concurrent jurisdiction over offenses committed anywhere on bridges, defendant who was involved in accident on Pennsylvania side of bridge, where he was taken into custody by port authority police, was subject to prosecution in New Jersey for drunken driving and

careless driving. *State v. Holden*, 46 N.J. 361, 217 A.2d 132 (1966).

7. Included offenses

Careless driving is lesser included offense of reckless driving and death by auto. *State v. Muniz*, 228 N.J.Super. 492, 550 A.2d 487 (A.D.1988) certification denied 113 N.J. 658, 552 A.2d 179.

If defendant drivers charged with death by auto were convicted of death by auto, they could not be convicted of lesser included charges of careless and reckless driving. *State v. Brown*, 228 N.J.Super. 211, 549 A.2d 462 (A.D.1988) reversed on other grounds 118 N.J. 595, 573 A.2d 886.

If sole evidence of recklessness on part of defendant drivers in prosecution for death by auto was conduct proximately relating to death of third driver, then acquittal on criminal charge would preclude motor vehicle conviction for reckless driving, but would not preclude conviction for careless driving. *State v. Brown*, 228 N.J.Super. 211, 549 A.2d 462 (A.D.1988) reversed on other grounds 118 N.J. 595, 573 A.2d 886.

Speeding is not a lesser included offense in a charge of careless driving; thus, municipal court lacked power and authority to amend complaint of careless driving to speeding. *State v. Jahn*, 121 N.J.Super. 209, 296 A.2d 364 (Co.1972).

8. Homicide

If either defendant driver had been merely careless, as the term was used in careless driving statute [N.J.S.A. 39:4-97], in not stopping or otherwise avoiding aggressive conduct of other defendant driver, such carelessness would not rise to criminally culpable level, so as to support conviction for death by auto, even if the carelessness were proximate cause of the accident. *State v. Brown*, 228 N.J.Super. 211, 549 A.2d 462 (A.D.1988) reversed on other grounds 118 N.J. 595, 573 A.2d 886.

9. Rights of accused

Rules of Miranda case with respect to implementation of constitutional rights to counsel and against self-incrimination did not apply in prosecution for careless driving. *State v. Zucconi*, 93 N.J.Super. 380, 226 A.2d 16 (A.D.1967) affirmed 50 N.J. 361, 235 A.2d 193.

N.J.S.A. 39:1 to 39:4-17

10. Defenses

Contributing factors of medical physical or nervous conditions are not defenses to charges of negligent driving scene of accident, careless and driving under the influence of alcohol if such factors caused or contributed to impairment of defendant's ability to drive. *State v. Corrado*, 184 N.J.Super. 422, 422 A.2d 1229 (A.D.1982).

11. Negligence

Violation of this section is no evidence of negligence, but is its negation. *Eaton v. Eaton*, 226 N.J. 62, 543 A.2d 485 (A.D.1988).

12. Double jeopardy

Jury verdict which is rendered in prosecution for death by auto and acquittal for death by auto negates factual predicate for double jeopardy bar to trial conviction for death by auto. *Muniz*, 118 N.J. 319, 571 A.2d 94

Acquittal of defendant in prosecution for death by auto negates factual predicate for double jeopardy bar to trial conviction for death by auto. *Muniz*, 118 N.J. 319, 571 A.2d 94

A Municipal Court conviction for careless driving, and conviction on appeal to County Court for perjury, State v. Redinger 41, 312 A.2d 129 (1973).

Although in prior court trial conviction for careless driving, and conviction on appeal to County Court for perjury, State v. Redinger 41, 312 A.2d 129 (1973).

APPENDIX C

COPY OF OATH OF OFFICE

OATH OF OFFICE

State of New Jersey)
County of) **SS.**

I, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey; that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the Authority of the people; and that I will faithfully, impartially and justly perform all the duties of the office of

.....
according to the best of my ability. (So help me God).*

Sworn and subscribed to before me
this day of
..... A.D. 19.....
.....

.....
P. O. Address.....
.....

* Person taking oath has the option of including "So help me God." if he so desires.

Chap. 217 P.L. 1971
R. S. 41:1-1 - 41:1-3
No. 143N

APPENDIX D

GENERAL INFORMATION ON TRAFFIC CONTROL

**CONTROLLING THE MOVEMENT OF VEHICLES
FLARES**

**NEW JERSEY STATE POLICE TRAFFIC REGULATION EXAMPLES
TRAFFIC ENFORCEMENT BULLETIN ON BLUE LIGHTS
FIRE SERVICE REFERENCE BOOKLET 5**

prevent approaching motorists from seeing the ambulance warning lights until they are too close to the danger zone to stop safely.

Using Flares for Traffic Control

Although some persons argue that flares are unsafe, they are still the best device for warning motorists of dangerous conditions. Moreover, several dozen flares can be carried behind the front seat of an ambulance, while battery-powered flashing lights take up valuable compartment space.

Igniting Flares

Using the following procedure, you will be able to ignite flares without being struck by molten sulfur.

- While you grasp the flare near the base with one hand, use your free hand to pull the tear strip away from the plastic cap and expose the scratching surface. Pull the cap from the body of the flare to expose the ignitor.
- Hold the flare in one hand and the cap in the other so that the scratching surface is positioned against the ignitor. While you hold the cap stationary, move the flare away from your body so that the ignitor rubs against the scratching surface. Repeat this operation if the flare does not ignite the first time.
- Keep the lighted flare away from your body as you position it on the wire stand or on the ground with the plastic holder in place.

Positioning Flares

If vehicular wreckage is blocking only one lane of a road, it is usually wise to channel traffic past the scene over the unblocked lanes. This should eliminate the buildup of vehicles that often results in a traffic jam that prevents the movement of emergency as well as other vehicles. Flares can be positioned quickly, but for them to be effective they must be placed according to plans such as those shown in Figure 27-3.

A number of factors must be considered when deciding how to set out a string of flares, including:

- Posted speed of the road
- Stopping distances required for vehicles traveling at the posted speed
- Volume of traffic
- Condition of the road surface
- Weather
- Character of the road (straight, curved, or hilly)

CONTROLLING THE MOVEMENTS OF VEHICLES

Accidents invariably produce some sort of traffic problems. If an accident occurs along a two-lane road, the roadway is often blocked by wreckage. At the very least, vehicles moving in both directions will have to use one lane. An accident on a four-lane highway can necessitate the merging of two or three lines of vehicles into one lane, with the result being a massive traffic jam. Even on a six-lane divided superhighway a relatively minor accident can cause a tremendous traffic problem.

There need be no physical impediment such as wreckage to create traffic jams. Massive backups often occur when curious drivers slow down as they pass an accident scene in order to see what has happened.

When there is a full emergency service response to an accident call, there are usually enough rescuers, firefighters, and police officers for traffic-control duties. But what about the situation in which an ambulance responds to an accident location alone or much ahead of other emergency service units?

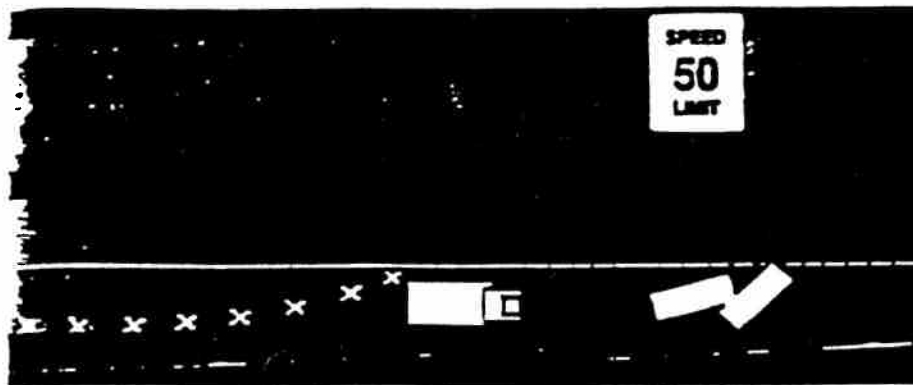
Obviously, rescue and emergency care efforts have priority over all other activities when personnel on hand is limited. This does not mean that a two-person ambulance crew cannot initiate a basic traffic-control plan, however, such as channeling the movement of vehicles past the accident scene. Then if the road must be blocked or if a detour must be established, those efforts can be undertaken by other emergency service personnel.

The warning lights of your ambulance will serve as the first form of traffic control; however, you should position other warning devices as soon as possible. Adverse weather conditions, darkness, vegetation close to the road, and curved roadways may

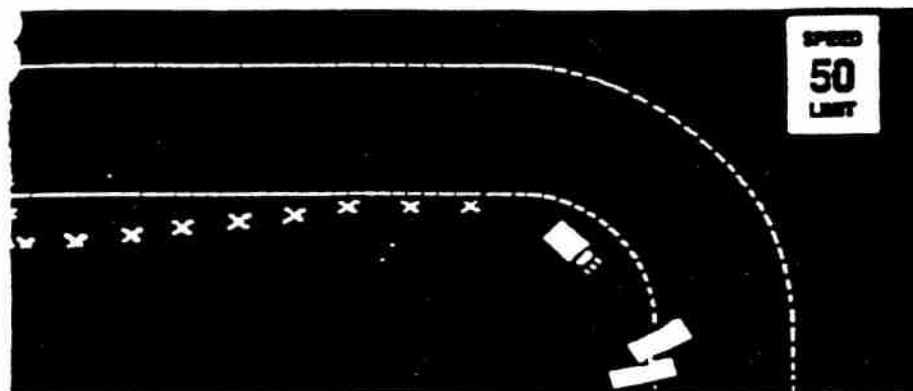
Posted speed (mph)	Stopping distance for that speed*		Posted speed (in feet)	=	Distance of the farthest warning device
20 mph	50 feet	-	20 feet	=	70 feet
30 mph	75 feet	-	30 feet	=	105 feet
40 mph	125 feet	-	40 feet	=	165 feet
50 mph	175 feet	-	50 feet	=	225 feet
60 mph	275 feet	-	60 feet	=	335 feet
70 mph	375 feet	-	70 feet	=	445 feet

* Distances are given for passenger cars.

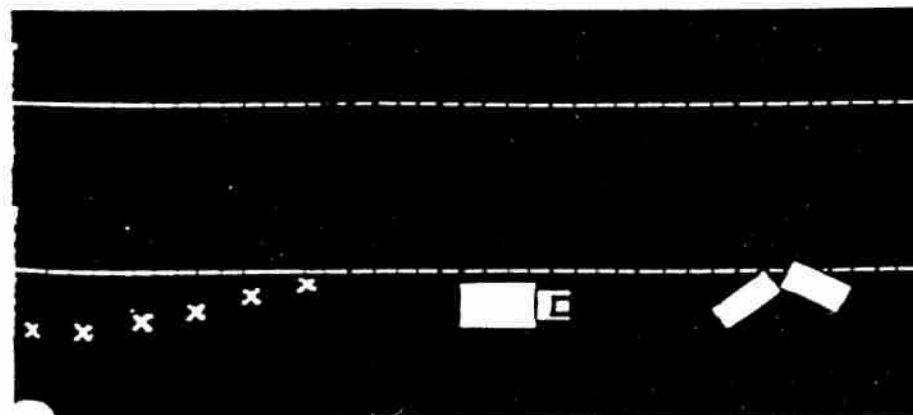
A. Flares are positioned according to a formula that includes the stopping distance for that speed, and the posted speed in feet.



B. Flares positioned on a straight road. Approaching vehicles are moved into the correct lane before they reach the edge of the danger zone.



C. Flares positioned ahead of a curved section of road. The beginning of the curve is considered to be the edge of the danger zone.



D. Flares are placed on a hill to slow vehicles and make them turn into the correct lane before they reach the top of the hill.

There is a basic rule for positioning flares: the farthest flare should be placed at a distance from the edge of the danger zone equal to the stopping distance for the road's posted speed plus the distance in feet equal to the posted speed. This ensures that when an approaching motorist traveling at the posted speed first sees the flare that is farthest from the danger zone, even though he may not see it until he is next to it, he will be able to stop his vehicle before it reaches the edge of the danger zone.

Be aware that the total distance given for the flare placement begins at the edge of the danger zone around the wreckage, not from the vehicles at the center of the zone. The typical danger zone is the area around the accident vehicles included in a circle with a radius of 50 feet. Remember that the danger zone may be considerably larger if certain hazards are present.

When an accident occurs on a curved portion of road, consider the start of the curve as the edge of the danger zone and set the flares out as you would on a straight road. Figure 27-3C shows how flares should be set out ahead of a curve.

When an accident occurs on a hill, one edge of the danger zone should be the crest of the hill. Thus vehicles traveling on the same side of the road, as the accident vehicles will be slowed and in the correct lane by the time they reach the top of the hill.

Remember these points when you are placing flares:

- Do not throw flares out of the ambulance when it is moving.
- Position a few flares at the edge of the danger zone as soon as the ambulance is parked; they will supplement the ambulance warning lights.
- Take a handful of flares and walk toward the oncoming traffic. Ignite flares and position them in such a way that they will channel vehicles into the unblocked lane before they reach the danger zone. Position flares every 10 feet, if possible.
- Be sure to look for spilled fuel, dry vegetation, and other combustible materials before you ignite and position flares, especially along a side of the road.
- If the accident has occurred on a two-lane road, position flares in both directions.

When the highway is heavily traveled by large trucks, you would do well to extend the flare strings beyond the distances recommended on the chart.

Remember that the stopping distances for large trucks are much greater than for cars.

CONTROLLING THE MOVEMENTS OF SPECTATORS

Spectators at vehicle accident locations do more than just create problems for passing motorists. If they are allowed to wander freely, they can and will close in on the wreckage just to get a better view of the operation. In fact, they may get so close that they will interfere with the rescue and emergency care efforts.

Rescue squads have the personnel and equipment for crowd control; ambulances usually do not. This does not mean that you as an EMT cannot initiate some form of crowd-control measure.

- Quickly scan the bystanders for some apparently responsible persons such as truck and bus drivers or someone wearing a uniform. Ask if there are any off-duty emergency service personnel in the crowd.
- Ask the persons that you recruit to keep the crowd away from the danger zone. Give them a roll of barricade tape if you have one.

WARNING: The plan is simple, and it usually works! Be sure not to put the recruited personnel in unsafe positions, however, like near spilled fuel or an unstable vehicle. The use of non-public safety personnel must be allowed by your EMS System.

COPING WITH ELECTRICAL HAZARDS

The dangers of electricity at vehicle accident locations can be many and varied. Since local policies usually dictate what EMS personnel can and cannot do regarding the use of specialized equipment, included here are only suggestions for survival. Under no circumstances should you attempt to move a downed wire with makeshift equipment.

Keep in mind these points about accident-produced electrical hazards:

- High voltages are not as uncommon on roadside utility poles as people think. Wood poles sometimes support conductors of as much as 600,000 volts.

- In addition to primary and secondary power conductors, utility poles also support telephone and TV subscriber cables and conductors for fire alarm, street light, and traffic signal circuits.
- The bright, uninsulated guy wire that stabilizes a utility pole may not be the nonconductor you think it is. When a pole is broken, guy wires may be energized by severed or displaced conductors. In fact, every conductor supported by the pole may be carrying the highest voltage present.
- Voltages of primary and secondary conductors cannot be determined from the size of the wire and the number of stand-off insulators.
- The coverings of high-voltage conductors serve more to protect them from the weather than to insulate them.
- There is no way to tell the direction of current flow at any given time.
- Fuses do not always blow and circuit breakers do not always open when power distribution lines go to ground. The load must be greater than the rating of the safety device.
- The ground cable or the pole itself may be energized when a pole is broken or displaced as the result of an accident.
- There is no way to determine whether a downed conductor is energized without a testing device.
- Energized downed conductors may or may not arc to the ground.

There is no assurance that a dead wire at the scene of an accident will not become energized again unless it is cut or otherwise disconnected from the system. When an interruption of current is sensed in most power distribution systems, automatic devices restore the flow of current two or three times over a period of minutes.

WARNING: Ordinary personal protective clothing does not afford protection against electrocution.

Remembering these points along with the following procedures may keep you alive at the scene of an accident where unconfined electricity is a hazard.

Broken Utility Pole with Wires Down

Fortunately, a broken utility pole with wires down is not a common result of vehicle accidents. But when such a problem does exist, it usually is a threat to rescuers and victims alike and is a situation in which safe operations may not be possible until a power

company representative can disrupt the flow of current.

Let's say that you have arrived at the location of an accident and have discovered that a utility pole is broken and that wires are down. The ambulance is parked outside the danger zone recommended for such situations.

- Before you leave the ambulance, be sure that no portion of the vehicle, including the radio antenna, is contacting any sagging conductors adjacent to or across the road.
- When you leave the ambulance, determine the number of the nearest pole that you can safely approach in such a way that a severed wire will not contact you if the wire arcs and jumps.
- When you have the pole number, instruct your dispatcher to advise the power company of the exact location of the accident and the pole number.
- Order spectators from the danger zone.
- Discourage the occupants of the accident vehicles from leaving the wreckage even if the vehicle is not in direct contact with a downed wire. The wire may arc and contact the vehicle, or the ground near the vehicle may be energized.
- Do not attempt to move any wires with wood poles, tools with wood handles, natural fiber ropes, or any other objects that might have a high moisture content, and most certainly do not attempt to move a downed wire with a metal tool or implement. In fact, do not attempt to move a downed wire at all unless you are specially trained and equipped with tools rated for voltages greater than those present.
- Stand in a safe place until a representative of the power company can cut the wires or otherwise disconnect them from the power distribution system.
- Prevent spectators and nonessential emergency service personnel from entering the danger zone until the hazard has been eliminated.
- Prohibit traffic flow if vehicles must pass through the danger zone.

When you respond to an accident location in a rural area at night, you may not have a clue that a pole has been broken and a wire is down. You may approach the scene from the direction opposite the path that the accident vehicle took. There may

not be any buildings or other structures nearby that, if unlighted, would alert you to a power outage. And the downed wire may not be arcing. Make it your policy to be extra careful whenever you are in a really dark area.

- As you walk from the ambulance to the accident vehicle, sweep the area ahead of you, to each side, and overhead with a beam of a powerful handlight. Remember that an energized conductor may be dangling just at head level.
- If you discover that a wire is down, leave the area in such a way that if the wire arcs and jumps, reel curl will move it away from you. Reel curl is the tendency for wires to coil when they are no longer under tension.

There may be a time, especially during wet weather operations, that you will not discover that a wire is down at an accident scene until you experience a phenomenon known as ground gradient. Voltage is greatest at the point where a conductor contacts the ground and then diminishes as the distance from the point of contact increases. That distance can be several inches or many feet. Being able to recognize ground gradient and knowing what actions to take when you do will probably save your life.

- Stop your approach to an accident vehicle immediately if you feel a tingling sensation in your legs and lower torso. This sensation signals that you are on energized ground and that current is entering one foot, passing through the lower part of your body, and exiting through your other foot. If you continue on, you chance being electrocuted!
- Do not simply turn and walk in a different direction. If the broken wire arcs and jumps closer to you, your body may complete a circuit on ground that is energized with lethal current.
- Turn 180 degrees and take one of two escape measures. Bend one leg at the knee and grasp the foot of that leg with one hand. Hop to a safe place on one foot. Or shuffle away from the danger area while keeping your feet close together. Either technique minimizes the chance that your body will complete a circuit with energized ground.

Broken Utility Pole with Wires Intact

A broken utility pole, but one with wires intact, is not a situation to be considered lightly. Conductors

that are supporting a 1,000-pound (or heavier) utility pole can break at any time. If they do, the pole can drop onto the wreckage, rescuers, emergency vehicles, and spectators with disastrous results.

If you arrive at the location of an accident and discover that a utility pole has been broken off close to the base but that all the conductors are intact:

- Park the ambulance at the edge of the danger zone.
- Notify your dispatcher of the situation.
- Remain at the edge of the danger zone until representatives of the power company can de-energize the conductors and stabilize the pole.

Pad-Mounted Transformer Damaged by a Vehicle

Pad-mounted transformers and underground cables supply electricity to homes in many developments throughout the country; they eliminate the need for unsightly utility poles and overhead wire installations. These above ground transformers are sometimes struck and damaged by vehicles, and when they are, they pose a serious threat to accident victims and emergency service personnel alike.

If you respond to an accident location and find that a vehicle has struck and come to rest against a pad-mounted transformer:

- Have your dispatcher advise the power company of the situation and request the immediate response of a power company representative.
- Do not touch either the vehicle or the transformer case, even if there is evidence that service to surrounding structures has been disrupted. Although secondary connections to the transformer may be broken, primary connections may be intact and energizing the transformer case and the accident vehicle with as much as 34,000 volts.
- Stand in a safe place until a power company representative can assure you that the transformer has been de-energized.
- Discourage occupants from leaving the vehicle.
- Keep spectators from the immediate area.
- Warn other emergency service personnel not to touch the vehicle or the transformer case.

FLARES

PURPOSE: to control vehicle traffic at accident scenes, fire scenes, roadblocks, floods, traffic light failures, and other emergencies.

HAZARDS: Burns to the eyes, face, hands, and feet.
Burns to clothing.
Grass or forest fire.
Explosion from ignition of flammable fumes.

PRECAUTIONS:

1. Check for scene safety before lighting the flare. You should be aware of leaking flammables, such as gasoline.
2. Check wind conditions. Fumes from flammables can travel. Your lighting of a flare could cause an explosion.
3. To light the fuse, hold it at arms length and point it away from you and down. Turn your head and eyes away from the flare. Strike the cover downward and away from you.
4. Flare material melts and drips. Keep the flare away from your body, at arms length. Never hold the flare higher than shoulder height. If you must walk or run while holding the flare, hold it to the side, never in front.
5. Stand upwind from burning flares. Flares give off toxic fumes which are harmful if breathed.
6. Flares are hot several inches from the burning point. Grab the flare from the bottom. Don't step on flares; they may burn through the sole of your shoe and cause severe injury.
7. To put out a flare, tap the burning end against the pavement to remove the loose material, then snuff out the flame.
8. When placing flares at an accident scene, always walk toward the oncoming traffic. Never turn your back to oncoming traffic.
9. Flares should not be placed on raised highway markers or painted plastic lane line stripes. These items can create a fire hazard of their own.

NEW JERSEY STATE POLICE
TRAFFIC REGULATION
CHART "A"

ON A FOOT POST—IN THE DIRECTION AND
MANIPULATION OF VEHICULAR AND
PEDESTRIAN TRAFFIC -

USE



YOUR BODY



YOUR ARM & HAND
AND YOUR WHISTLE



NEVER

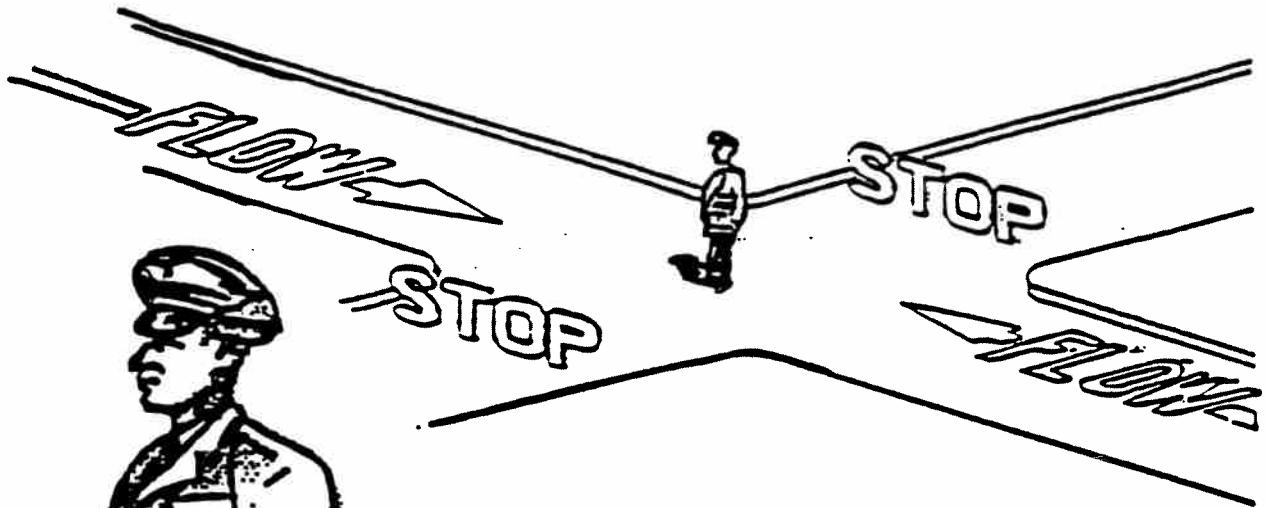
HEAD OR FINGER
MOTIONS



OR ANY OTHER MOTIONS
OR GESTURES DIFFICULT
FOR THE DRIVER TO SEE
OR INTERPRET.
USE A POINTING FINGER
WHEN IT IS NEEDED BUT
DON'T HIDE IT! LET THERE
NEVER BE A DOUBT AS TO
THE MEANING OF ANY OF
YOUR SIGNALS.

NEW JERSEY STATE POLICE
TRAFFIC REGULATION
CHART "B"

2-WAY TRAFFIC MOVEMENT AT
A 4-WAY INTERSECTION



The proper position for the traffic officer is in the **CENTER** of the intersection with the body facing halted traffic. His front & back presents a barrier while the traffic on his right & left is permitted to move.

It is highly important that the officer be constantly on the alert for drivers desiring to make left turns – and to avoid being struck by a moving vehicle.

Traffic to the rear should be watched for vehicles attempting to make "sneak" right turns.

NEW JERSEY STATE POLICE
TRAFFIC REGULATION
CHART "C"

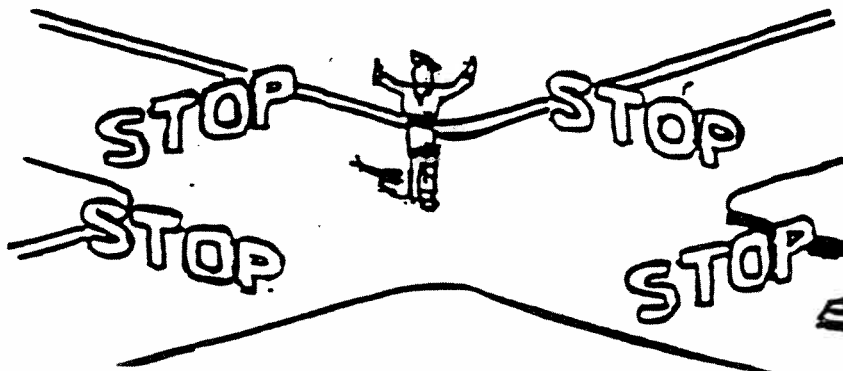
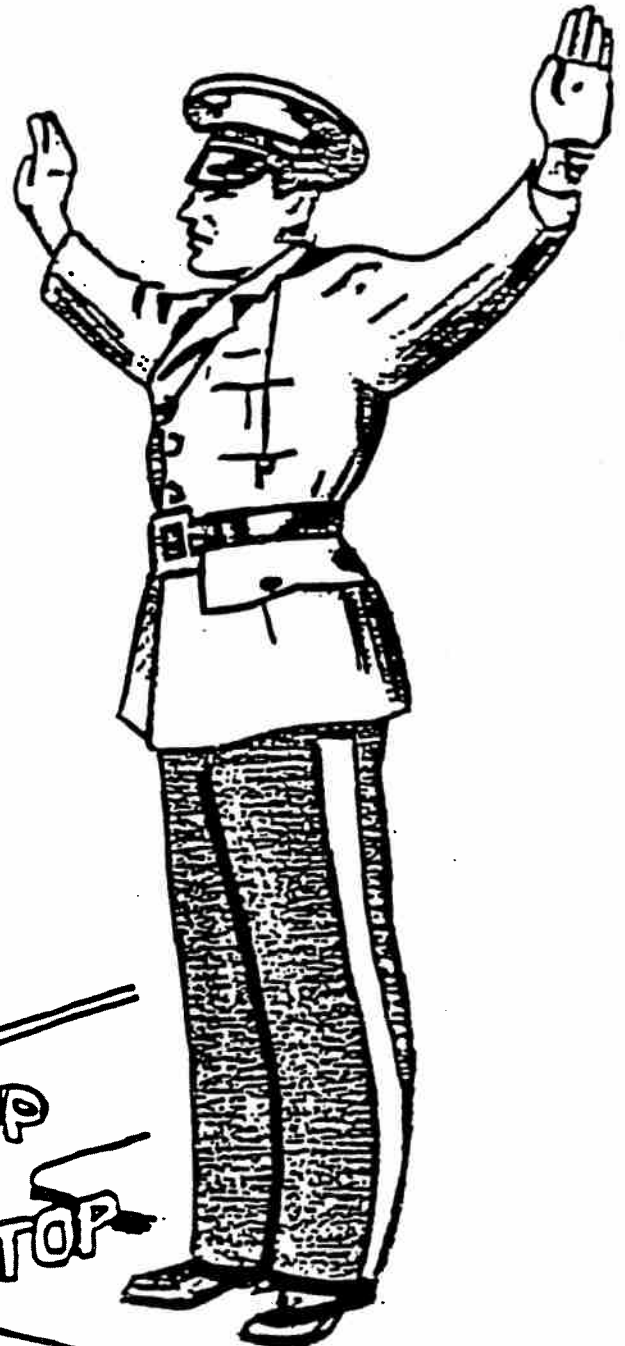
HALTING ALL TRAFFIC
AT A 4-WAY INTERSECTION

Having allowed a sufficient flow of traffic on his right & left the officer now desires a change of direction.

After a loud, prolonged blast of the whistle, both arms are raised to an angle of 45° with palms toward the moving traffic & held there until all vehicles have halted.

If pedestrians are involved, the position is held until they have safely crossed.

Now the officer is ready to direct the change in vehicular flow



**NEW JERSEY STATE POLICE
TRAFFIC REGULATION
CHART "D"**

**STARTING A NEW DIRECTION
FLOW AT A 4-WAY INTERSECTION**

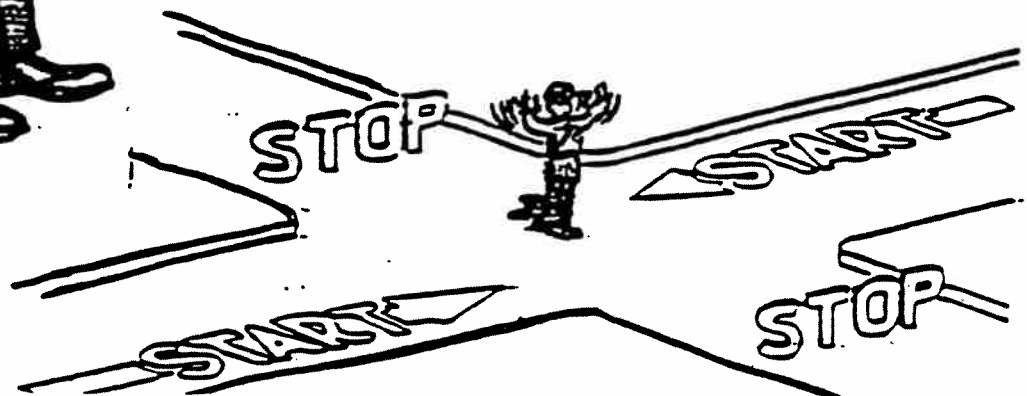


With all traffic halted & with pedestrian movement safely accomplished, the officer now turns his body to face the traffic he has just halted-keeping his arms raised.

The front & back of his body is now the "barrier" which prevents that traffic from moving.

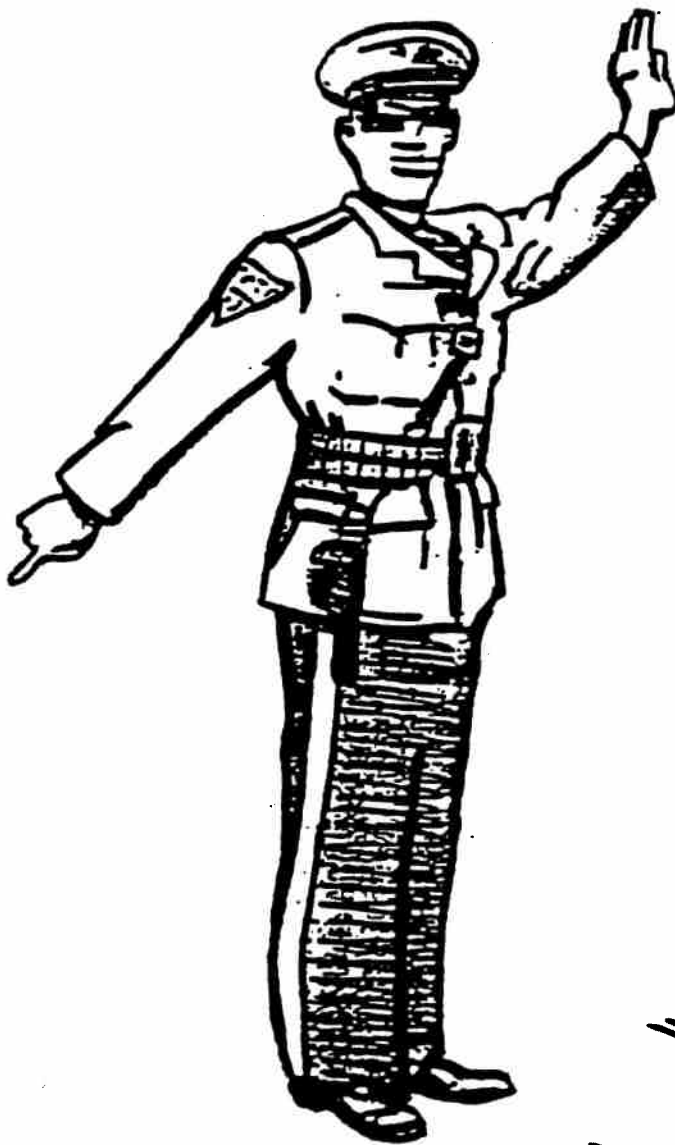
Next, reversing his hands so that the backs (instead of the palms) are outward, he makes distinct forearm motions to the new traffic flow to "come-on" - meeting his hands in front of his face.

This motion is continued until traffic is flowing whereupon the officer lowers his arms and assumes his "at ease" control position ...



NEW JERSEY STATE POLICE
TRAFFIC REGULATION
CHART "E"

DIRECTING A LEFT TURN
AT A 4-WAY INTERSECTION

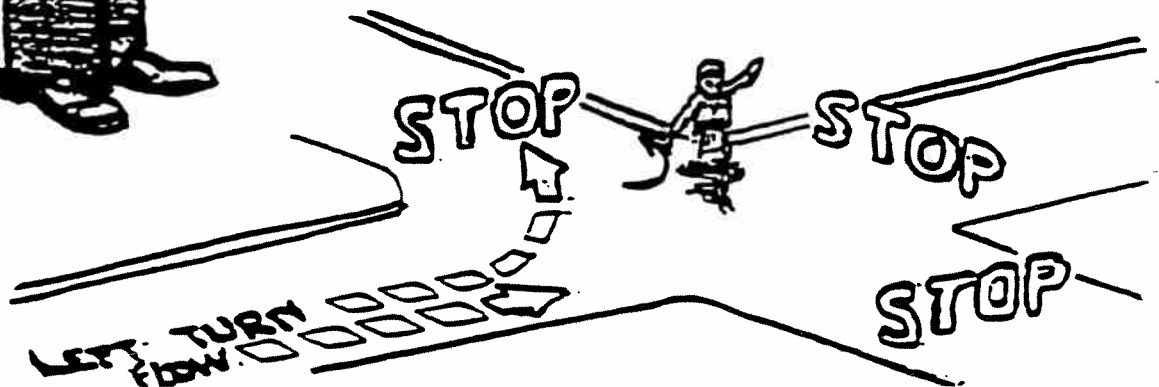


To allow a left turn means a 3-way stoppage. The officer first turns the left side of his body to the line of moving traffic which is to be temporarily halted.

Next, he raises his left arm with open palm toward that line, and when all motion has ceased, he directs the left turn with a sweep of his right arm - guiding the vehicle in a course in front of his body.

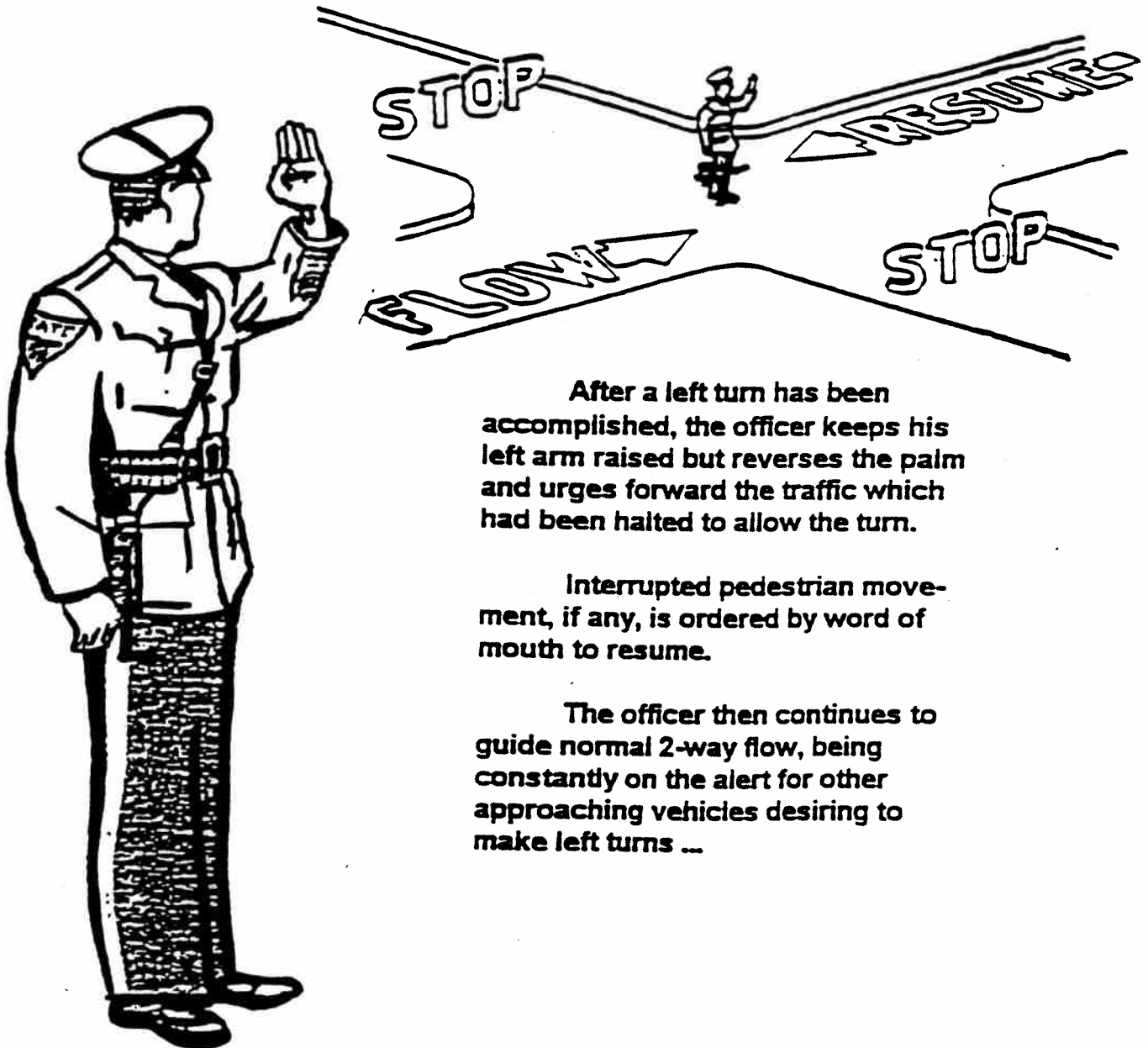
Pedestrians in this path are warned by word of mouth.

It is desirable that this operation be accomplished without use of the whistle as it may cause drivers to think there is about to be a general change in traffic flow.



NEW JERSEY STATE POLICE
TRAFFIC REGULATION
CHART "F"

RESUMPTION OF NORMAL FLOW
AFTER A LEFT TURN



After a left turn has been accomplished, the officer keeps his left arm raised but reverses the palm and urges forward the traffic which had been halted to allow the turn.

Interrupted pedestrian movement, if any, is ordered by word of mouth to resume.

The officer then continues to guide normal 2-way flow, being constantly on the alert for other approaching vehicles desiring to make left turns ...

NEW JERSEY STATE POLICE
TRAFFIC REGULATION
CHART "G"

On a traffic post or at the accident scene, the officer often finds it necessary to halt a single car or a single line of approaching traffic.

Presenting the front of his body as a "barrier" - he also raises his left arm, palm outward, and holds it so until motion has ceased.

STOP



In the control of traffic, an officer occasionally has need to slow down an approaching or passing car.

Turning his face toward the offending driver, and, with his forearms extended forward & parallel to the ground - short "patting" motions are made until understood.



Of frequent use to the traffic officer is the pointed finger. It should be made part of a full arm motion and never hidden.

It is used to single out a driver for some individual attention or direction. Short and repeated blasts of the whistle may be used with this gesture to gain the driver's attention, if necessary.



NEW JERSEY STATE POLICE
TRAFFIC REGULATION
CHART "H"



To speed-up traffic (when it can safely be done & when it accomplishes a purpose) the officer turns his face toward the car or line of cars he wishes to "hurry" and with his near forearm extended & parallel to the ground, he makes quick, sweeping motions with open palm until obeyed.

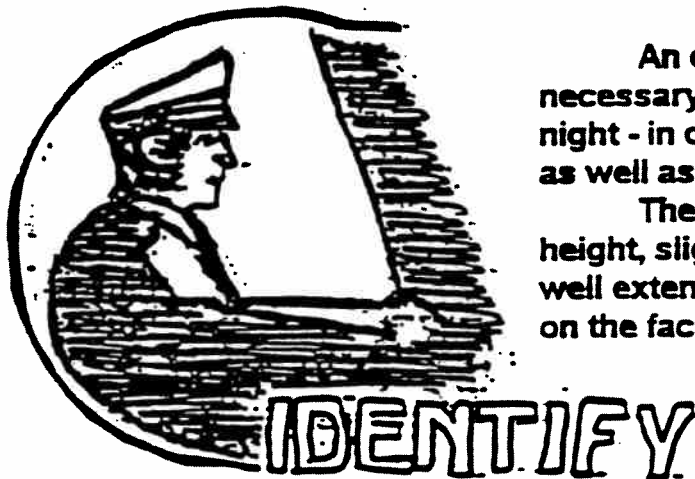
In stopping an approaching vehicle at night, the flashlight is pointed at the oncoming car and moved in long, vertical arcs until the officer is visible in the headlights.

He then may make his order more plain by use of the hand "stop" signal.



An officer sometimes finds it necessary to identify himself at night - in other phases of police work as well as on traffic duty.

The flashlight is held at chest height, slightly to one side of front & well extended, so it can be focused on the face, cap and badge.





STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
WEST TRENTON, NEW JERSEY 08625

TRAFFIC ENFORCEMENT BULLETIN

DATE ISSUED	May 17, 1995
DATE EFFECTIVE	May 12, 1995
DISTRIBUTION	L, C

SP 616 (2-81)

Subject

EXPANDED USE OF BLUE LIGHTS BY VOLUNTEERS

ISSUED BY

Launny R. Roberson
Major, Field Operation Section

APPROVED BY

Carl A. Williams
Superintendent

BULLETIN NUMBER

95-1

Effective immediately, an active member in good standing of a volunteer fire company or a volunteer first aid or rescue squad recognized by and rendering service in any municipality may display on ANY motor vehicle DRIVEN by him an emergency blue warning light or lights.

However, the operator of the vehicle must have in his possession a valid permit or identification card bearing the signature of the Director of Motor Vehicles and the mayor or chief executive officer of the said municipality. These identification cards shall be considered permits to display and operate emergency blue warning lights as provided by law and shall apply to ANY motor vehicle driven by the member of a volunteer fire company or a volunteer first aid or rescue squad.

Pursuant to N.J.S.A. 39:3-54.13, any person authorized to display emergency warning lights who willfully displays or uses such lights in violation of the law shall be liable to a penalty of not more than \$50 and his privilege to display such lights may be suspended or revoked by the Director of Motor Vehicles. A person who is not authorized to display emergency warning lights who willfully display or uses such lights shall be liable to a penalty of not more than \$100.

C. Richard Kamin

C. Richard Kamin, Director
Division of Motor Vehicles