



NEWARK POLICE DEPARTMENT GENERAL ORDER



SUBJECT: Quality of Life Enforcement Initiative		GENERAL ORDER NO. 07-02
SUPERCEDES: NEW	DATED: FEBRUARY 6, 2007	SECTION CODE: E-5

I. Introduction

The quality of our environment has an incalculable impact on the Community's standard of living or "Quality of Life". Quality of life issues must be addressed and undertaken in a manner that will not impinge on the City or its citizens, however, a proactive approach to crime prevention is necessary to ensure that violence and anti-social behavior on the streets are decreased.

II. Policy

It shall be the policy of the Newark Police Department to ensure that the Quality of Life for the citizens of the City is maintained at the highest of standards. It is to that endeavor that the Operations Bureau shall implement a "Quality of Life Enforcement Initiative" designed to reassure the general public that the Newark Police Department is actively engaged in the prevention of crime and the protection of law abiding citizens by addressing "Quality of Life" complaints within each Police Precinct.

III. Purpose

The purpose of this order is to outline the strategy to combat Quality of Life issues within the geographical boundaries of each individual Precinct.

IV. Responsibilities of Precinct Commanders

A. Precinct Commanders shall identify problematic areas within their commands where Quality of Life issues are most prevalent. They shall identify these areas by basis of citizen complaints, community input, analysis of crime and quality of life complaints and C.A.D. assignment patterns.

B. A "Quality of Life Enforcement Initiative" shall be instituted by each Precinct Commander. The initiative will operate within the geographical boundaries of the Precinct and will place an emphasis on quality of life issues. **In addition, the Precinct Commanders shall stress to all Command personnel the importance of addressing Quality of Life concerns throughout the Precinct.** Particular issues will encompass the following:

- *Prostitution
- *Illegal Dumping
- Gambling
- Public Consumption of Alcohol



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- The Officer must clearly indicate on the summons how they knew the beverage was alcoholic in nature.
- The Officer must then write a detailed description of the alcoholic beverage so they may accurately testify in court.
- Aggressive Panhandling
- Littering
- Erratic Driving
- Urinating in Public
- Noise Complaints
 - Officers responding to noise complaints must utilize “Noise Metering Equipment”.
 - Two (2) copies of the result will print out; one is to be attached to the summons for the defendant and the other will be retained by the Police Officer.
- Unlicensed Vendors
- Open Flame Fires
- Obstruction of Public Passage
- Motor Vehicle Repair on the Street(Non-Emergency)
- (*) **Denotes offenses that require mandatory arrests because, although they are Quality of Life issues, they are also 2C Statute violations and require a CDR.**

When an officer observes a Quality of Life offense, that is not a 2C Statute violation and is capable of being addressed through the issuance of a Title 23 Summons, the officer shall issue the Title 23 “blue” Summons in lieu of arresting the offender. The officer can only issue the summons if the offender has proper identification and the offense has occurred in the presence of the officer.

Proper identification shall consist of:

- Valid Driver’s License with photo
- Voter Registration Card
- County Identification
- Passport
- S.B.I. Number
- School identification

Persons who are not in possession of proper identification and have been found to be “breaching the peace”, by violating the above listed offenses, will be arrested and identified through finger print comparison before they are released. “Breach of Peace” can be defined as causing a disturbance, threatening, or other acts which break public tranquility. **(The top portion of the Summons must be filled out completely and correctly.)** When a person is caught violating any Quality of Life offense, in addition to receiving a summons, there is to be a Field Inquiry and Record check conducted on the individual. There is to be only one (1) offense per summons. In the event there are multiple charges and or co-defendants, separate summonses must be issued for each with the complaint numbers cross-referenced on the back of all copies of the summonses.



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- C. Precinct Commanders shall ensure that the Title 23 Summonses issued by Command personnel are properly routed to the Municipal Courts.

Completed Summonses shall be separated and forwarded as follows:

1. **Blue:** This copy should be submitted the following business day to the Courts for data entry at 31 Green Street, Room 203.
 2. **Green:** This copy is personally served on the defendant at the time of the offense. The officer shall also inform the defendant to contact the court to obtain a court date.
 3. **Yellow:** This copy is also personally served on the defendant at the time of the offense.
 4. **White:** This copy should be submitted the following business day to the Municipal Prosecutor's Office at 31 Green Street, Room 313.
 5. **Pink:** This copy remains with the officer.
- D. All command personnel shall be trained in the proper technique in completing the Title 23 Summons Book. The Police Academy will establish a training program that will proficiently guide personnel in the correct method of completing the Title 23 Summons Book. Precinct Commanders shall ensure all Command personnel are trained in the proper method of completing the Title 23 Summons Book by establishing training sessions at respective Roll Calls that will utilize the Police Academy's training program.
- E. The Precinct Commanders shall have the capacity to determine what type of strategy they will introduce to combat the Quality of Life issues within their Command. Precinct Commanders are responsible for effectively answering the Quality of Life complaints within their respective Commands. The effectiveness of their strategies will be reviewed, in detail, at the weekly ComStat meetings.
- F. Officers who actively engage in Quality of Life incidents shall make every effort to coordinate with other Newark Police Department Units/Divisions or City of Newark resources, when feasible, to fully address the incident in which they are investigating at that time. Some examples may include the contacting of Code Enforcement, Narcotics Unit, Licensing, Taxi Division, N.F.D. or Truancy. If possible, an officer should attempt to contact applicable Units/Divisions immediately to insure the problem can be remedied quickly. In examples where an applicable Unit/Division cannot be notified immediately, an officer shall forward any pertinent information via, DP1:1001, to his/her Precinct Commander who will then forward the information to the proper Unit/Division.



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- G.** Precinct Commanders shall be made aware that officers who administer summonses for Quality of Life violations may receive a copy of a Contempt of Court Warrant for the violator. This will occur when a violator does not present themselves to the proper Court to address the summons they have received. Officers who receive a copy of the Contempt of Court Warrant will be made aware that this does not authorize the officer to **actively pursue** the individual for which the warrant was issued. Instead, the copy should serve as notice that the individual is wanted and that the next time the officer observes the individual; he/she should be arrested.
- H.** The Precinct Commander or his/her designee shall forward a report to the Operations Bureau on a weekly basis. The report shall be forwarded by 1300 hours every Monday. **(The contents of the report will be addressed in section VI. Of this Order.)**

V. Responsibility of the Communications Division

The Commander of the Communications Division shall ensure that all personnel are cognizant of the new "Assignment Codes" pertaining to Quality of Life assignments. Proper dispatched codes and disposition codes are necessary in the accurate tracking of Quality of Life assignments. Communication dispatchers, when possible, shall attempt to facilitate the addressing of Quality of Life complaints by allowing the officers within the Commands the latitude of fully addressing the incident in which they are investigating, whether the incident was dispatched or a Police Action was taken.

VI. Responsibility of Comstat Unit

- A.** The CompStat Unit shall be tasked with the responsibility of compiling the Quality of Life statistics. The Unit will provide analysis of the issues based on the following guidelines:
- 1.** Complaints vs. Enforcement results
 - 2.** Map overlays indicating Q.O.L. Complaints and Q.O.L. Enforcement Arrests
 - 3.** Week to Date Complaints
 - 4.** 28 Day Complaints
 - 5.** Year to Date Complaints



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VII. Reporting Requirements

- A. The Precinct Commanders shall ensure that a weekly activity report on the Quality of Life issues within their Command is forwarded to the Operations Bureau by 1300 hours each Monday morning.
- B. The report shall include the following:
 - 1. Quality of Life Complaints based on the list mentioned on page 1 & 2 of this order, which indicates the number of each complaint, how many arrests and summonses, and location of occurrence.
 - 2. Source of complaints.
 - 3. CAD calls for service.
 - 4. Number of complaints broken down by sector.
 - 5. Any strategies devised in order to combat problematic areas.
 - 6. Any documentation that was forwarded to specific Units/Divisions or other City agencies detailing a particular problem.
- C. Precinct Commanders shall be prepared to answer any questions regarding Quality of Life complaints within their Commands. Commanders shall also be ready to detail any plan of action they feel could correct the incidents within their Precincts.

VIII. Compliance

All Department personnel are responsible for compliance with this order. Command and Supervisory Officers shall insure that this Order is brought to the attention of subordinates and is understood and complied with by all concerned. All Commands shall document training for all personnel and submit reports on compliance by March 12th 2007 to the Office of Police Director.

IX. Effect

All previous Orders and Memorandums, which are inconsistent or in conflict with this Order, are rescinded.

BY ORDER OF:


GARRY F. MCCARTHY
POLICE DIRECTOR

GFM:GC:DL:jp
Attachment



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Appendix

City of Newark "Quality of Life" Municipal Ordinances

Transient or Itinerant Vendors:

- * License Required 8:15-3
- * Display of License 8:15-13

Peddlers:

- * License Required 8:7-2
- * Plate or Badge Issued 8:7-5
- * Prohibited Conduct 8:7-6

- * Removal of Solid Waste and Recyclable Materials Permitted only by City or Authorized Collector 15:4-3

- * Litter in Private property Prohibited 15:9-3
- * Litter in Public Places Prohibited 15:9-5
- * Litter in Vacant Lots Prohibited 15:9-6
- * Litter in Parks Prohibited 15:9-7
- * Litter in City waters Prohibited 15:9-8

- * Prohibition on Open Fires 20:2-30
- * Drunkenness/open container 20:2-7
- * Prohibition on Public Urination 20:2-31
- * Disorderly Conduct/panhandling 20:2-16f
- * Prohibition against certain forms of aggressive solicitation 20:2-29

- * Maximum permissible sound 20:3-7

levels.(Note: Use this Ordinance only when proper noise detection equipment is available.)

- * Motor Vehicles and Motorcycles: Loud or unnecessary noise prohibited. 20:3-9
- * Prohibited Acts (Noise) 20:3-13
- * Repairs Prohibited (Motor Vehicle Repairs) 20:10-1.2

State Statutes Permissible on Summons:

- * Obstructing 2C:33-7
- * Disorderly Conduct 2C:33-2
- * Smoking in Public 2C:33-13