

Directive # 17-05
[Supplements Directive #07-05]

[Questions or Comments May Be Directed
to (609) 292-1589 or (609) 984-4228.]

TO: **Assignment Judges**
 Trial Court Administrators

FROM: **Philip S. Carchman, J.A.D.**

SUBJECT: **Aerosol Defensive Devices – Inclusion of Certain Family Division**
 Probation Officers Under Policy

DATE: **December 2, 2005**

Directive #07-05, issued March 28, 2005, promulgated the *Procedures on Aerosol Defensive Devices - Training and Policies for Use*, as approved by the Judicial Council. This Directive supplements Directive #7-05 by clarifying that the provisions of that earlier-issued Directive are applicable as well to Probation Officers in the Family Division who have regularly assigned field duties.

Directive #07-05 authorized Probation Officers with regularly assigned field responsibilities, as well as supervisors and managers who may provide coverage for them, to carry Judiciary-issued aerosol defensive devices, also known as oleoresin capicum (OC) or “pepper spray,” for defensive purposes when performing their official duties. It did not make clear, however, that the authorization so provided applies not just to Probation Officers in the Probation Division, but also to Probation Officers in the Family Division. The Family Division has a number of staff in the Probation Officer title with regularly assigned field duties, such as to conduct custody and parenting time investigations for the court. As such, the risks that those Family Division Probation Officers are exposed to may be similar to those faced by Probation Officers in the Probation Division.

The Aerosol Defensive Devices Policy set forth in Directive #07-05 thus is applicable to Family Division Probation Officers with regularly assigned field duties. The authorization for designated Family Division Probation Officers to carry pepper spray is conditioned on the individual meeting the same mandatory training and recertification requirements as all others authorized to carry pepper spray. That training includes the five-day Probation Officer Safety Training Course as a prerequisite to the one-day pepper spray training course, which includes

exposure to the spray. The "Acknowledgment of Training" form appended to Directive #07-05 has been modified to reflect that it is not limited to the Probation Division. The revised form, a copy of which is attached, should be used in place of the earlier-distributed form as to both the Probation Division and the Family Division.

It is the responsibility of the Family Division Manager to identify which Family Division Probation Officers have regularly assigned field duties for purposes of Directive #7-05 and to keep records of the issuance of all pepper spray canisters to any such authorized Officers. Training of authorized Probation Officers in both the Probation and Family Divisions, as well as the purchase and issuance of pepper spray canisters, should be coordinated locally, consistent with Directive #07-05.

This clarification of the previously issued policy is effective immediately. Any questions regarding the policy or this clarification may be directed to Assistant Director Harry Cassidy (Family Practice Division) at (609) 984-4228 or to Assistant Director Robert Sebastian (Probation Services Division) at (609) 292-1589.

P.S.C.

attachment ("Acknowledgment of Training Form")

cc: Chief Justice Deborah T. Poritz
Family Presiding Judges
Theodore J. Fetter, Deputy Administrative Director
AOC Directors and Assistant Directors
Family Division Managers
Vicinage Chief Probation Officers
Joanne M. Dietrich, Chief, Family Practice
Geraldine Washington, Chief, Family Practice
Gayle Maher, Chief, Juvenile Supervision
John Pizarro, Chief, Adult Supervision
Steven D. Bonville, Special Assistant
Francis W. Hoeber, Special Assistant

New Jersey Judiciary

ACKNOWLEDGMENT OF TRAINING AND EXPOSURE/DECLINATION OF EXPOSURE to OC (Oleoresin Capsicum) DURING TRAINING

I, _____, acknowledge that I have been provided
(print)

with information on the handling and use of OC spray in accordance with Judiciary policy and guidelines. I was further provided with information that exposure to the product in the training session will enhance my knowledge and experience with the product. I have made the following determination in regard to my particular situation:

_____ I choose to be exposed to OC spray during the training session.

_____ I decline exposure to OC spray during the training session and I will
not be issued OC spray by the Judiciary.

_____ This is a recertification; I have been exposed to OC spray in a prior training session.

Date:

(Signature - employee)

(Signature - Certified Instructor)

EQUIPMENT AUTHORIZATION

Employee Name: _____ Title: _____

Canister Serial #: _____ Manufacturer Date: _____

I understand that upon resigning, retiring, or transferring to another position, I must return this canister to the Vicinage Chief Probation Office (or Family Division Manager).

Employee Signature: _____ Date: _____

Authorized Signature: _____ Title: _____

RECERTIFICATION

(Signature - Certified Instructor)

Date: _____