

Trooper: High Court Promotes Lawlessness

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New Jersey's probation officers haven't been permitted to carry guns since 1974 and now the State Supreme Court says they can't make arrests anymore either. If a probation officer needs to bust a probationer because that person is committing a crime or has an outstanding warrant, they will have to call a local, county or state law enforcement official. Chris Burgos, executive Vice President of the State Trooper Fraternal Association says the High Court is, "giving the probation officers a mission but, taking away the tools...it's a clear message to encourage and promote lawlessness." The state's probation and law enforcement officer associations are teaming with legislators to call on the Judiciary to rescind rules that fail to provide adequate guidance or training for probation officers supervising offenders in their communities. Despite being titled the "Probation Field Supervision and Safety Standards," the officers believe the directive would be a detriment to these officers and an impediment to public safety in our communities.

Under the Judiciary's Directive standards are set forth ranging from preventing probation officers from arresting probationers with a pending warrants to requiring a greater law enforcement role in community supervision to setting standards for home visits and training needed to carry-out these responsibilities.

George Christie, president of the Probation Association of New Jersey (PANJ), sent a detailed letter to New Jersey Chief Justice Deborah Poritz to explain the probation officers' concerns with the Directive that requires all probation vicinages to submit a plan of implementation by Monday, September 18.

"This Directive will not make a probation officer any safer than they are today," says Christie, "In fact, a vast majority of states across America have recognized that minimizing probation officers as strictly social workers is an inadequate approach for protecting communities and citizens. Probation officers would be safer through improved self-defense training as well as having the proper equipment necessary to protect themselves and the public."

Probation officers in thirty-four states are armed in the course of their work including in states where the judiciary is responsible for probation. Training probation officers and properly equipping them is currently a strong and consistent trend throughout the nation.

The Directive explicitly strips probation officers of any authority to arrest probationers who have a pending warrant for their arrest. "Now, the Judiciary says we must call police officers to make arrests and searches. The net effect is a disincentive to act whether to impractically tie up limited police resources or avoid threatening situations and give criminals free reign," says Daniel Bergin, president of the Passaic County Probation

Association, who has assisted in nearly 1,000 arrests of criminals in his 11-year career as an officer. "The result of this Directive is a disservice to the public in both instances."

"There are murderers and arsonists and rapists and child molesters on probation in this state," says Bergin, "We deal with every possible human ugliness and corruption imaginable."

By: Kevin McArdle