



Risk Analysis

Civilian Personnel Retired Officer Program – RPO
Sworn Law Enforcement Personnel
(Full Time, Class II, Class III)
Carrying Firearms in Schools / Providing Security

10/31/22

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Issue	Civilian - Retired Police Officer (RPO)		Police Officer (Full Time, Class II, Class III)	
	(+) Potential Positive Considerations	(-) Potential Negative Considerations	(+) Potential Positive Considerations	(-) Potential Negative Considerations
General Staffing Costs:	It is possible that a non-sworn officer (full-time, Class II, or Class III) may be less expensive to implement due to hourly salary costs and the time needed for training. It may be upfront, but will it be when an incident occurs? Parents may feel that the district believes their children are only worth retired non-law enforcement personnel and not worth spending extra funds to protect them	As for salary or staffing costs, possibly none, as salary burdens may be solely the responsibility of the school district.	It is possible that the school district and municipality may agree upon shared costs. An abundance of training is likely available at the law enforcement agency, which may be provided as part of the officer's regular employment with the agency.	Cost

	with sworn law enforcement officers.			
Firearm:	The firearm may likely be purchased by the officer, reflecting saving costs.	<p>Does the school district have any authority regarding the type of firearm carried?</p> <p>The firearm may be incompatible with officers who may respond to the school to assist.</p> <p>The RPO may have restrictions on the type of ammunition and the amount of ammunition they may carry in the weapon's magazine.</p>	<p>The police agency may absorb costs.</p> <p>Training and maintenance of the firearm are consistent.</p> <p>Ammunition and firearm magazines are consistent amongst all officers.</p> <p>The officer is not bound by the restrictions under the law for carrying extended magazines.</p> <p>The agency may employ other firearms, such as long guns. The agency would provide training for these specialized weapons.</p>	Cost
Radio/ Communications	None	The civilian will not have direct communication access with other officers or the local emergency dispatch center.	<p>Direct radio contact with other responding sworn officers.</p> <p>Ability to monitor active police radio channels to scan for threats in the geographical area.</p> <p>The radio likely has a "panic button" that sends an emergency signal to alert the dispatch center and other officers of an imminent emergency. This feature may be essential if the officer cannot speak, lost their microphone, or determines that verbally alerting other officers would incite aggression.</p>	Cost

Body Armor/Ballistic Protection:	If this is purchased by the RPO, there may be a cost savings.	<p>Who will maintain and replace it at the end of the typical five-year lifespan?</p> <p>Will a vest be worn? Sworn officers are typically required to wear a vest, but the RPO may not. Absent this protection, the civilian RPO may be immediately incapacitated and unable to defend themselves or their students.</p> <p>Such ballistic protection may only entail soft personal body armor and not more specific devices such as ballistic shields, ballistic helmets, tactical rifle plates, and more.</p>	<p>The officer will be subject to the police agency's mandatory body armor wear policy.</p> <p>The body armor will be agency approved and maintained as part of the regular body armor maintenance program.</p> <p>The agency may deploy or have readily available other ballistic protection, such as ballistic shields, bunkers, helmets, or tactical rifle plates. The use of such equipment requires specific training that the law enforcement agency would facilitate.</p>	Cost
Electronic Controlled Energy Devices (CED) and commonly referred to as a "Tasers."		<p>Civilians (RPO) are likely prohibited from carrying the most sophisticated CED.</p> <p>A Civilian may only be equipped with a firearm which defies the principles and mandates of the NJ Attorney General's (NJAG) Use of Force Policy.</p> <p>A civilian might not be able to adequately handle a volatile situation involving a student armed with weapons that are not firearms, such as scissors. For example, it may be inappropriate or even unlawful for the RPO to resort to deadly force with a firearm, but the firearm may be only weapon they are equipped with.</p>	Officers can be equipped with a CED, which includes proper training, regular qualifications, and mandated use of a body-worn camera.	Cost
Other Equipment (Handcuffs, Defensive	If these items are purchased by the civilian RPO, there may be cost savings.	The civilian (RPO) may not carry a defensive weapon, such as an expandable baton. If the civilian does not, there may be difficulty	Officers would be issued standard agency equipment beyond the firearm, such as handcuffs, pepper spray, and	Cost

Weapons, Tourniquet)		<p>meeting the principles and mandates of the NJAG Use of Force Policy.</p> <p>If the civilian (RPO) does not carry handcuffs, they may be in a difficult position to properly restrain a person, which may create an escalation in force.</p> <p>If the civilian does carry this equipment, have they received regular training on these issues? A civilian may carry a tourniquet, but have they trained on how to deploy a tourniquet under pressure? Under active gunfire?</p>	other defensive weapons and receive consistent training for such tools.	
De-escalation and Decision-Making Training	Likely none. Even if the civilian has had this training at one time, are they competent in its use?	The civilian employee may not be competent in this subject and not have received any updated training. This may be especially important during a critical incident where police officers arrive and deploy de-escalation tactics that conflict with the civilian's methods.	Officers have been trained in ICAT , which is mandated by the NJAG.	Cost
Duty to Intervene Training	Likely none. Even if the civilian has had this training at one time, are they competent in its use?	The civilian employee may not be competent in this subject and not have received any updated training. Additionally, the civilian is not under the mandates of NJAG to intervene upon witnessing excessive force.	Officers have been trained in ABLE which is mandated by the NJAG and required to intervene when observing the excessive use of force.	Cost
Use of Force Training/Authority	In the event of the actual use of deadly force by a person in a school, the civilian may be in a position to stop the attack.	The law governing the use of force (2C:3-4) in NJ by civilians as compared to a sworn officer may be drastically different, and civilians do not operate with the same level of responsibility and accountability concerning the authority to pursue fleeing offenders and the use of force to protect others. School districts should consult with their attorney regarding this issue.	<p>Officers are mandated to annually complete use-of-force training that is consistent with relevant case law (Popow v. Margate) that requires low-light shooting, moving targets, and decision-making scenarios.</p> <p>Although officers must abide by the NJAG Use of Force Policy and NJS 2C:3-4, they are obligated to act, pursue</p>	Cost

		<p>The use of force may also become necessary when a person is not actively shooting or even armed with a firearm, and in such circumstances, a civilian armed with only a firearm may be of little use.</p> <p>Use of force training for police officers in New Jersey is highly specific and especially so when compared to the requirements for a retired officer permit to carry.</p>	fleeing offenders, and use force to protect others where no such requirement exists for a RPO.	
General Training	Likely none, other than cost savings, and that's if all required training is completed.	The school district is responsible for ensuring that the civilian (RPO) is fully trained. If the school district shifts this responsibility to an outside contractor, can they be assured that it is superior quality and in compliance with all mandates of the NJAG?	All officers will be subject to required training, and the responsibility for such training rests with the law enforcement agency.	Cost
Police Licensing Beginning 1/1/24, every police officer in the State of NJ must be "licensed."	None	<p>It is unclear at this time how long a retired officer will be able to maintain their license. It is likely that they will no longer possess a license because they will no longer be completing the required annual training.</p> <p>This is highly significant. Although a civilian may be permitted to carry a firearm, they will not be a licensed police officer. The license not only ensures that the officer has completed the required training to keep their position, but it also serves as evidence that the officer has demonstrated proper moral behavior, been subject to serious discipline, or suffered mental health issues rendering them incompetent.</p>	All officers will be in compliance with New Jersey's police officer licensing standards.	Cost

		The possibility exists that a civilian will be hired by a school district who is no longer qualified to be a police officer.		
Command, Control, and Commitment	Civilians may possess experience and commitment to the practice of law enforcement as retired officers, but have such skills been practiced and retained?	<p>Civilians may not stay abreast of the latest command and control practices as governed by the National Incident Management System.</p> <p>Although the civilian may be a retired officer, do they still have the commitment to risk their lives for others? Clearly, some will, but there have been instances where even active law enforcement officers have not engaged a shooter in active shooter situations.</p> <p>Does the RPO have the physical ability to perform the job? Although the RPO may likely complete a qualification course with a firearm, it does not validate their physical ability to engage in a physical confrontation with another person.</p> <p>Although some retired officers may have retained the required skills and commitment, are they suitable to work in a school environment which may be vastly different than their assignment or experience as a police officer?</p>	Officers are required to complete Incident Command System, ICS-100, and ICS-200. Their daily work activities provide an environment that regularly reinforces their understanding of command and control and the ability to adapt, and cope in high-stress situations. Officers participate in training well beyond the use of a firearm which ensures they are physically capable of addressing any confrontation or disturbance in a school setting.	Cost
Leadership and Accountability	None	A civilian armed with a firearm in a volatile situation while other officers are present is a civilian. Although the RPO may be required to follow the directions of a police officer like any other civilian in certain circumstances, the RPO armed with a firearm is not within the chain of command of the law enforcement agency. The RPO may not respond to supervisory authority in the same	Officers are required to not only follow specific laws and case law, but they are required to follow very specific police agency rules, regulations, policies, and orders which include a detailed chain of command and procedures that are essential during critical incidents.	Cost

		fashion as an on-duty officer who is governed by agency rules, regulations, and the hierarchy of command. The RPO in the heat of battle with on-duty police officers is a civilian armed with a firearm while in a school.		
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