

40A: 9-154.1 thru 40A: 9-154.4

LEGISLATIVE HISTORY CHECKLIST

(School crossing guards -- permit appointment of adults by municipal police)

HJSA 40A:9-154.1 thru 40A:9-154.4

LAWS OF 1979

CHAPTER 82

Bill No. S1166

Sponsor(s) Gregorio and A. Russo

Date Introduced May 15, 1978

Committee: Assembly Municipal Government

Senate County and Municipal Government

Amended during passage

Yes

~~XX~~ Substituted for A1382 (2nd OCR attached)

Date of Passage: Assembly November 27, 1978

Senate October 19, 1978

Date of approval April 26, 1979

Following statements are attached if available:

Sponsor statement Yes ~~XX~~ (Below)

Committee Statement: Assembly ~~XXX~~ No

Senate Yes ~~XX~~

Fiscal Note ~~XXX~~ No

Veto message ~~XXX~~ No

Message on signing ~~XXX~~ No

Following were printed:

Reports ~~XXX~~ No

Hearings ~~XXX~~ No

Sponsor's statement:

This bill permits municipalities to appoint adult school crossing guards and specifies the training, duties, powers, and qualifications and uniforms of such guards.

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(over)

9/1/78

SEP 1978

Also attached:

Attorney General Formal Opinion No. 22 and
Supplement as mentioned in Senate Committee Statement.

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4-26-79
[OFFICIAL COPY REPRINT]

SENATE, No. 1166

STATE OF NEW JERSEY

INTRODUCED MAY 15, 1978

By Senators GREGORIO and A. RUSSO

Referred to Committee on County and Municipal Government

AN ACT concerning municipal adult school crossing guards and supplementing Title 40A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The governing body of any municipality may appoint adult
2 school crossing guards for terms not exceeding 1 year and revoke
3 such appointments ***[without cause or hearing]*** *for cause and*
4 *after proper hearing before the chief of police or other chief law*
4A *enforcement officer of the municipality**. No person shall be
4B appointed as an adult school crossing guard unless he:

- 5 a. Is a citizen of this State;
6 b. Is sound in body and of good health;
7 c. Is of good moral character; and
8 d. Has not been convicted of any criminal offense involving moral
9 turpitude.

10 An adult school crossing guard shall not be a member of the
11 police department or force of the municipality and his powers and
12 duties shall cease at the expiration of the term for which he was
13 appointed. He shall not have the right to bear firearms or the power
14 of arrest.

15 Every adult school crossing guard shall be under the supervision
16 and direction of the chief of police or other chief law enforcement
17 officer of the municipality wherein he is appointed and shall per-
18 form his duties only in such municipality. He shall comply with the
19 rules and regulations applicable to the conduct and decorum of the
20 regular police officers of the municipality. Before any adult school
21 crossing guard is appointed the chief of police shall ascertain the
22 eligibility of the applicant and make a report to the governing body.

1 2. Every adult school crossing guard shall be trained for the
2 proper performance of his duties and responsibilities. Such training

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

3 shall consist of a minimum of 2 hours of classroom instruction
4 which shall include information on methods of traffic control and
5 the duties and responsibilities of adult school crossing guards and
6 a minimum of 20 hours of field training in which the trainee shall
7 be supervised by an experienced adult school crossing guard or a
8 regular police officer.

1 3. Before being assigned to any post, an adult school crossing
2 guard shall be provided with a uniform which shall identify his
3 function and which shall be distinct from the uniform of a member
4 of the regular police department or force. Such uniform shall
5 include but not be limited to a safety vest, a hat, and breast and hat
6 badges which shall bear an identification number, and the name of
7 the municipality in which he is employed.

1 4. The chief of police or other chief law enforcement officer of a
2 municipality shall have the right to position school crossing guards
3 on any street or highway within the municipality; provided, how-
4 ever, that such guards may be stationed only when it is necessary to
5 control or direct vehicular or pedestrian traffic during those time
6 periods of a school day when it is necessary to control traffic or
7 during any special event or program involving pedestrian crossings
8 whenever it is deemed to be in the best interests of public safety.

1 5. This act shall take effect immediately.

SENATE, No. 1166

STATE OF NEW JERSEY

INTRODUCED MAY 15, 1978

By Senators GREGORIO and A. RUSSO

Referred to Committee on County and Municipal Government

AN ACT concerning municipal adult school crossing guards and
supplementing Title 40A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The governing body of any municipality may appoint adult
2 school crossing guards for terms not exceeding 1 year and revoke
3 such appointments without cause or hearing. No person shall be
4 appointed as an adult school crossing guard unless he:

- 5 a. Is a citizen of this State;
6 b. Is sound in body and of good health;
7 c. Is of good moral character; and
8 d. Has not been convicted of any criminal offense involving moral
9 turpitude.

10 An adult school crossing guard shall not be a member of the
11 police department or force of the municipality and his powers and
12 duties shall cease at the expiration of the term for which he was
13 appointed. He shall not have the right to bear firearms or the power
14 of arrest.

15 Every adult school crossing guard shall be under the supervision
16 and direction of the chief of police or other chief law enforcement
17 officer of the municipality wherein he is appointed and shall per-
18 form his duties only in such municipality. He shall comply with the
19 rules and regulations applicable to the conduct and decorum of the
20 regular police officers of the municipality. Before any adult school
21 crossing guard is appointed the chief of police shall ascertain the
22 eligibility of the applicant and make a report to the governing body.

1 2. Every adult school crossing guard shall be trained for the
2 proper performance of his duties and responsibilities. Such training
3 shall consist of a minimum of 2 hours of classroom instruction
4 which shall include information on methods of traffic control and
5 the duties and responsibilities of adult school crossing guards and

6 a minimum of 20 hours of field training in which the trainee shall
7 be supervised by an experienced adult school crossing guard or a
8 regular police officer.

1 3. Before being assigned to any post, an adult school crossing
2 guard shall be provided with a uniform which shall identify his
3 function and which shall be distinct from the uniform of a member
4 of the regular police department or force. Such uniform shall
5 include but not be limited to a safety vest, a hat, and breast and hat
6 badges which shall bear an identification number, and the name of
7 the municipality in which he is employed.

1 4. The chief of police or other chief law enforcement officer of a
2 municipality shall have the right to position school crossing guards
3 on any street or highway within the municipality; provided, how-
4 ever, that such guards may be stationed only when it is necessary to
5 control or direct vehicular or pedestrian traffic during those time
6 periods of a school day when it is necessary to control traffic or
7 during any special event or program involving pedestrian crossings
8 whenever it is deemed to be in the best interests of public safety.

1 5. This act shall take effect immediately.

STATEMENT

This bill permits municipalities to appoint adult school crossing guards and specifies the training, duties, powers, and qualifications and uniforms of such guards.

SENATE COMMITTEE AMENDMENT TO
SENATE, No. 1166

—•—
STATE OF NEW JERSEY
—•—

ADOPTED SEPTEMBER 18, 1978

Amend page 1, section 1, line 3, omit "without cause or hearing", insert "for cause and after proper hearing before the chief of police or other chief law enforcement officer of the municipality".

SENATE COUNTY AND MUNICIPAL GOVERNMENT

STATEMENT TO

SENATE, No. 1166

STATE OF NEW JERSEY

DATED: SEPTEMBER 18, 1978

Senate Bill No. 1166 would permit municipalities to appoint adult school crossing guards, and would specify the training, duties, powers, qualifications and uniforms of such guards.

A school crossing guard is a civilian municipal employee who is generally responsible for the regulation and supervision of the movement of school children at street intersections. The Attorney General has ruled in Formal Opinion No. ~~12~~²² issued on December 1, 1977, supplemented on January 13, 1978, that while such responsibilities fall within the inherent authority of the regular police department where the exercise of police powers is indicated, special police, who are appointed by municipalities to assist or supplement the regular police force on an intermittent or temporary basis under unusual and emergency circumstances, should not be assigned on a regular basis to perform the routine duties of traffic control at school crossings.

Senate Bill No. 1166 would provide for certain minimum standards of physical and moral fitness for school crossing guard appointments, and would specify certain classroom and field training course standards. The bill would allow municipalities to appoint for terms not to exceed 1 year, and would permit such appointments to be revoked.

The committee amended the bill to provide that such appointments may be revoked only for cause and after proper hearing before the chief of police or other chief law enforcement officer of the municipality.

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1382

STATE OF NEW JERSEY

INTRODUCED MAY 15, 1978

By Assemblyman DiFRANCESCO

Referred to Committee on Municipal Government

AN ACT concerning municipal adult school crossing guards and supplementing **[chapter 14 of]** Title 40A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The **[appointing authority]** *governing body* of any mu-
2 nicipality may appoint adult school crossing guards for terms not
3 exceeding 1 year and revoke such appointments **[without cause**
4 **or hearing]** *for cause and after proper hearing before the chief*
5 *of police or other chief law enforcement officer of the municipality*.
6 No person shall be appointed as an adult school crossing guard
7 unless he:

8 (1) Is a citizen of **[the United States]** *this State*;

9 (2) Is sound in body and of good health;

10 (3) Is of good moral character; and

11 (4) Has not been convicted of any criminal offense involving
12 moral turpitude.

13 **[Adult]** *An adult* school crossing **[guards]** *guard* shall
14 not be **[members]** *a member* of the police *department or*
15 *force of the municipality* and **[their]** *his* powers and duties
16 shall cease at the expiration of the **[terms]** *term* for which
17 **[they were]** *he was* appointed. **[such guards]** *He* shall
18 not have the right to bear firearms or the power of arrest.

19 Every adult school crossing guard shall be under the supervision
20 and direction of the chief of police *or other chief law enforcement*
21 *officer* of the municipality wherein he is appointed and shall per-
22 form his duties only in such municipality. He shall comply with
23 the rules and regulations applicable to the conduct and decorum
24 of the regular police officers of the municipality. Before any adult
25 school crossing guard is appointed the chief of police shall ascertain

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

26 the eligibility of the applicant and make a report to the ***[**appoint-
27 ing authority* **governing body**.

1 2. ***[All]*** **Every** adult school crossing ***[guards]*** **guard**
2 shall be ***[properly]*** trained for **the proper performance of his*
3 *duties and** ***[their]*** responsibilities. Such training shall consist
4 of a minimum of 2 hours of classroom instruction which shall
5 include information on methods of traffic control and the duties
6 and responsibilities of adult school crossing guards and a minimum
7 of 20 hours of field training in which the trainee shall be supervised
8 by an experienced adult school crossing guard and or a regular
9 police officer.

1 3. Before being assigned to any post, ***[all]*** **an** adult school
2 crossing ***[guards]*** **guard** shall be provided with ****[uni-**
3 forms]** **a uniform** which shall identify ***[their]*** **his**
4 function and which shall be distinct from the ***[uniforms]***
5 **uniform** of ***[the]*** **a member of the** regular police **depart-*
6 *ment or** force. Such ****[uniforms]**** **uniform** shall include
7 but not be limited to a safety vest, a hat, and breast and hat badges
8 which shall bear an identification number, and the name of the
9 municipality in which he is employed.

1 4. The chief of police **or other chief law enforcement officer**
2 of a municipality ****[which appoints school crossing guards]**** shall
3 have the right to position ***[such]*** **school crossing** guards on any
4 street or highway within the municipality; provided, however, that
5 such guards **may** be stationed only when it is necessary to control
6 or direct vehicular or pedestrian traffic during those time periods
7 of a school day when it is necessary to control traffic or during
8 any special event or program involving pedestrian crossings when-
9 ever it is deemed to be in the best interests of public safety.

1 5. This act shall take effect immediately.

FROM THE OFFICE OF THE GOVERNOR

APRIL 26, 1979

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

PAT SWEENEY

Acting Governor Joseph P. Merlino today signed the following bills into law in a public ceremony in the Governor's Office:

S-1150, sponsored by Senator Wayne Dumont, Jr. (R-Warren) which will appropriate \$25,000 for weed control in Mountain Lake in Warren County.

S-1166, sponsored by Senator John T. Gregorio (D-Union) which specifies the training, duties, powers, qualifications and uniforms of adult school crossing guards.

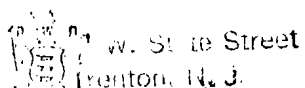
According to the bill, a crossing guard will have to be a citizen of New Jersey in good health, be of good moral character, and must not have been convicted of any criminal offense involving moral turpitude.

The guard will not be a member of the police force and will not have the right to bear firearms or to have the power of arrest. However, the guard will be under the supervision of the chief law enforcement officer of the municipality and can only perform his duties in that municipality.

The guard will also have to undergo training in traffic control. The municipality will have to provide the guard with a uniform distinct from that of the regular police.

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DEC 19 1977



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF LAW
STATE HOUSE ANNEX
TRENTON 08625

WILLIAM F. HYLAND
ATTORNEY GENERAL
ROBERT J. DEL TUFO
FIRST ASSISTANT ATTORNEY GENERAL

THOMAS S. BERRY
ASSISTANT ATTORNEY GENERAL
DEPUTY CLERK
MICHAEL A. WHELAN
ASSISTANT ATTORNEY GENERAL
DEPUTY CLERK
ROBERT J. DEL TUFO
FIRST ASSISTANT ATTORNEY GENERAL

December 1, 1977

Ralph P. Shaw, Chief Examiner
and Secretary
Department of Civil Service
State and Montgomery Streets
Trenton, New Jersey 08625

FORMAL OPINION NO. 22 - 1977

Dear Mr. Shaw:

You have asked for our advice as to the legitimate duties and responsibilities of special police officers appointed in municipalities throughout the state. In particular, you have asked whether special police may consistent with the civil service laws perform the duties and responsibilities of regular permanent members of a municipal police force. Although your inquiry is directed toward local civil service jurisdictions, the issue has equal application to both civil service and non-civil service communities.*

* In an opinion to you dated June 23, 1976 we advised that special police officers may be used in limited circumstances such as the provision of protection to "... banks and other commercial establishments, parks and school crossings, and to generally assist the regular force during emergency or unusual conditions." This was supplemented by our opinion to you dated June 21, 1977 wherein it was concluded that special police officers may be used by resort communities to handle the unusual influx of visitors and security problems during the summer season. The present opinion will further expand on our previous advice and provide a more comprehensive and definitive opinion on this subject.

We have been informed that special police officers perform a variety of police related work. In many instances they are used to perform general police duties in a fashion similar to members of the regular force. Some municipalities use special police officers to perform only certain specified police responsibilities such as acting as a police dispatcher. Other municipalities use them for spectator or traffic control, either on a regular basis such as school or church crossing guards or in emergent situations. Finally, special police officers are often used to provide additional protection and security for banks, taverns, construction projects, railroad yards and amusement or public parks.

It is necessary to consider the statute authorizing the appointment of special police officers, civil service law and police training statutes in making a determination as to the appropriate responsibilities of a special police officer. N.J.S.A. 40A:14-146 provides for the appointment of special police officers. The statute authorizes the governing body of any municipality to appoint special police personnel for terms not to exceed one year. They are declared "... not (to) be members of the police force ..." and they may be removed without cause or hearing. Special police officers may be furnished badges and charged a fee for the issuance of a certificate of appointment. Special police officers serve under the supervision of the municipal police chief and they are required to conform with rules and regulations applicable to the conduct and decorum of regular police officers.

The statute contains little guidance as to the scope of duties to be performed by special police officers. However, it provides that "... they ... not be members of the police force ..." and that they not carry weapons during off-duty hours. This would appear to reflect a legislative determination that special police officers should not be equated with the regular permanent members of a municipal police force. This proposition was reinforced in *State v. Jones*, 4 N.J. Super 599 (Law Div. 1949), *rev'd on other grounds*, 4 N.J. 207 (1949). A challenge was brought to the appointment of Jones as a regular police officer on the ground that he exceeded the maximum age limitation established by law. The court upheld the appointment by characterizing a prior appointment as a special policeman to have been one of a regular policeman. The court determined that the duties performed by Jones were not consistent with the limited responsibilities allocated to a special police officer. The court stated:

"The purpose of the statute is to permit the appointment of special guards or watchmen, having police powers, for guarding

banks, railroad yards, warehouses, parks, school crossings, and other places where extra or special protection is required, and also to permit the appointment of special policemen to assist temporarily the regular police force during an emergency or during unusual conditions."
4 N.J. Super. at 608.

The court further pointed out that the statute did not "provide any authority to appoint a 'special policeman' to perform those duties which come within the scope of the usual and ordinary duties that are performed regularly by members of a municipal police force." *Supra* at 608. The court therefore concluded that the appointment of special policemen to perform during normal conditions the same duties which are performed by the members of the regular police force would undermine the statutory tenure protection afforded to regular members of a municipal police force.

Implicit legislative restriction on the use of special police officers is also provided by civil service law and by police training legislation. Special police officers are, under the terms of civil service law, exempt from competitive testing requirements. N.J.S.A. 11:22-2(q). There is, accordingly, no comprehensive mechanism provided for testing the qualifications and capabilities of these persons. Furthermore, the Legislature has enacted legislation dealing with the training of law enforcement personnel. N.J.S.A. 52:17B-66 et seq. No person may be a permanent police officer prior to the completion of a training course at an approved police training school. N.J.S.A. 52:17B-68. There is, however, no mandatory training provided by statute for special police officers and their qualifications and training are solely at the discretion of the chief of police of the appointing municipality. Accordingly, there is a further legislative indication that special police officers should not be used to perform on a full or part-time basis the usual and ordinary responsibilities of a regular member of a municipal police department.

It is apparent that it is the underlying legislative purpose to allow for the use of special police officers to provide intermittent or temporary assistance to the regular police force during unusual or emergency circumstances. This would not by definition include responsibilities coincident with those of regular police personnel. The use of special police officers as dispatchers or for other limited police responsibilities on a regular basis would be impermissible. Similarly, special police officers may not be used for spectator and traffic control or for other police related activities in the absence of

unusual or emergency circumstances which require assistance to the regular police department. On the other hand, the use of special police officers for intermittent or unusual crowd control or traffic direction or to provide extra security as a supplement to the regular police force in individual cases would be appropriate. An unusual condition would include an unpredictable event such as a natural disaster, riot or major fire. It would also include a predictable circumstance which requires extraordinary temporary assistance to the regular police force in individual cases, such as the use of special police during the summer at a resort community to handle the seasonal influx of visitors, to direct heavy traffic and handle large crowds at regularly scheduled sporting events and rock concerts.

Finally, before a special policeman may be appointed, the chief of police of a municipality shall ascertain whether the applicant is eligible and qualified. Every special policeman shall thereafter be under the supervision and direction of the chief of police of the municipality wherein he is appointed. N.J.S.A. 40A:4-146. Inherent in this statutory provision dealing with the appointment, supervision and direction of special policemen is the requirement that municipalities provide adequate training and experience in firearms and in general police duties commensurate with the hazards of general police work. A municipality is generally empowered to adopt and enforce such rules and regulations consistent with the laws of the State, as it may deem necessary for the preservation of the public safety or welfare. N.J.S.A. 40:48-2. Although the uniform legislative scheme for the mandatory training of law enforcement personnel is restricted to those given a permanent appointment, it is incumbent on a municipality to independently provide in the public's interest for satisfactory training of special police designated to assist and/or supplement the regular police department.

This obligation is particularly compelling in training for the safe and proper handling and use of firearms. In *McAndrew v. Mularchuk*, 33 N.J. 172 (1960) a reserve patrolman was appointed by the Borough of Keansburg to work at elections, parades and to engage in regular patrol activity on foot and in police cars. The defendant police officer was never given any education nor was he required to submit to any training with respect to the use of his revolver. As a result, a young man was seriously wounded in an altercation outside of a local night club. The New Jersey Supreme Court in passing on the responsibility of the municipality for the actions of the reserve patrolman expressed its concern with the lack of training in the use and handling of firearms:

"Loaded revolvers are dangerous instruments. Their potentiality for infliction of serious injury is such that the law has imposed a duty to employ 'extraordinary' care in their handling and use. . . . Municipal entities must take cognizance of the hazards of sidearms. That knowledge casts an obligation on them when they arm or sanction the arming of reserve patrolmen for active police duty. The obligation is to use care commensurate with the risk to see to it that such persons are adequately trained or experienced in the proper handling and use of the weapons they are to carry. If the official in general authority in the police department sends or permits a reserve officer to go out on police duty without such training or experience, his action is one of negligent commission--of active wrongdoing-- and if an injury results from an unjustified or negligent shooting by that officer in the course of performance of his duty, which is chargeable to the lack of training or experience, the municipality is liable." McAndrew at 183-184.

See also: Peer v. Newark, 71 N.J. Super. 12 (App. Div. 1961) aff'd 36 N.J. 300 (1962). Accordingly, the court held that the reserve police officer was legally responsible for the wounding of the plaintiff. Since the administrative control of the department was in the chief of police, the borough also was found liable for authorizing the reserve police officer to carry a revolver on duty without adequate training in its handling or use.

Consequently, municipalities should arrange to provide adequate training and experience in the handling and use of firearms and in carrying out general police responsibilities to avoid a serious risk of liability for injury caused by an act or omission of its special police appointees. N.J.S.A. 59:2-2. Also, training of special policemen will generally improve the caliber of local law enforcement and serve to satisfy a municipal responsibility to protect the safety and welfare of its citizens in their respective communities.

In conclusion, therefore, special police officers should not be appointed by municipalities to perform the regular responsibilities of a municipal police department on a continuous basis or on a full or part-time basis. This would include general police work, police dispatching and routine

traffic and crowd control. Special police, on the other hand, may be appointed to serve on a temporary or intermittent basis for emergent or unusual conditions, to supplement the regular police department for traffic and crowd control and/or to provide extra security at summer resorts, parades, sporting events, riots, natural disasters and for other similar purposes.

Very truly yours,

WILLIAM F. HYLAND
Attorney General

By Theodore A. Winard
Theodore A. Winard
Assistant Attorney General

TAW:jc



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
STATE HOUSE ANNEX
TRENTON 08625

WILLIAM F. HYLAND
ATTORNEY GENERAL
XXXXXXXXXXXXXXXXXXXX

STEPHEN SKILLMAN
ASSISTANT ATTORNEY GENERAL
DIRECTOR
THEODORE A. WINARD
ASSISTANT ATTORNEY GENERAL
IN CHARGE
ADMINISTRATIVE AGENCY ADVISE

January 13, 1978

Ralph P. Shaw, Chief Examiner and
Secretary
Department of Civil Service
East State and Montgomery Streets
Trenton, New Jersey 08625

FORMAL OPINION NO. 22 - 1977 -- SUPPLEMENT

Dear Mr. Shaw:

In Formal Opinion No. 22 - 1977 issued on December 1, 1977 we advised that special police officers should not be appointed by municipalities to perform the regular responsibilities of a municipal police force on a continuous or a full or part time basis. Several questions have arisen as to the effect of our opinion on the use of school crossing guards and police radio dispatchers throughout the State.

A school crossing guard is a civilian municipal employee who is generally responsible for the regulation and supervision of the movement of school children at street intersections. These job responsibilities have been classified by the Department of Civil Service in the job title, School Traffic Guard. A police radio dispatcher is similarly a civilian municipal employee whose principal job is to receive and relay messages to police patrol vehicles or to fire, ambulance and other emergency units. These job responsibilities have also been classified by the Department of Civil Service in the title, Police Radio Dispatcher, in the classified service.

The conclusion of Formal Opinion No. 22 - 1977 was that special police should be appointed by municipalities to assist or supplement the regular police force only on an intermittent or temporary basis under unusual and emergency circumstances. This would not include the assignment of special

police on a regular basis to perform the routine duties of traffic control at school crossings or as a police radio dispatcher. These duties fall within the inherent authority of a regular police department where the exercise of police powers is indicated. In other instances, supervision of children at school crossings and radio dispatching functions may be performed by school crossing guards or radio dispatchers as a civilian non-police related activity either in the Civil Service job classification appropriate to those responsibilities or in comparable positions in non-Civil Service communities.

In conclusion, therefore, Formal Opinion No. 22 - 1977 was designed to deal exclusively with the role of special police. Traffic control at school crossings and police radio dispatching may appropriately be carried out on a regular basis either by regular members of a municipal police force or by appointed civilian school crossing guards and radio dispatchers in both Civil Service and non-Civil Service communities.

Very truly yours,

WILLIAM F. HYLAND
Attorney General

By Theodore A. Winard
Theodore A. Winard
Assistant Attorney General

TAW:jc

JAN 19 1978
100 N. ORANGE STREET
TRENTON, N. J.