

## NJ COALITION FOR TRANSPARENT POLICING

Senate President Stephen Sweeney  
935 Kings Highway, Suite 400  
West Deptford, NJ 08086

Assembly Speaker Craig Coughlin  
935 Kings Highway  
Suite 400  
West Deptford, NJ 08086

October 19, 2020

Dear Senate President Sweeney and Assembly Speaker Coughlin:

**Our coalition of more than 100 organizations and individuals urge you to prioritize passage of Senate Bill 2656, which would make police disciplinary records publicly accessible.** Sponsored by Senator Loretta Weinberg (D-Teaneck) and Senator Nia H. Gill (D-Essex), this transparency measure is foundational to meaningfully address police accountability and racial injustice in the criminal legal system.

We represent a broad group of New Jerseyans, including members of law enforcement, civil rights organizations, labor unions, Libertarians, faith-based leaders, legal groups and individuals impacted by police misconduct. What unites us is the belief that transparency is critical to answering the calls for change that have echoed across our state and nation in the wake of the police killing of George Floyd in Minneapolis, and just days earlier, Maurice Gordon in New Jersey.

The Problem. New Jersey is one of 20 states where police disciplinary records are completely off limits to the public and accessible only to police department internal affairs (IA) units. The consequences of this secrecy, which disproportionately affects Black and Latinx communities, includes:

- **A lack of external oversight/accountability.** The current law allows police to police themselves without external oversight. As a result, IA units regularly dismiss very serious complaints and fail to hold abusive officers accountable. For example, the Bergen County Prosecutor's Office reported that in 2018 only one-third of complaints against officers were sustained by IA and 2.5% resulted in significant discipline.
- **Potential for wrongful convictions.** Even when New Jerseyans are facing life-altering criminal charges, officer disciplinary history is largely unavailable to prosecutors, judges and juries. If an officer who built a case has a record of lying, coercing witnesses and withholding evidence, that would affect judgements about innocence and guilt.
- **Taxpayers are left footing the bill** for police misconduct and wrongful conviction lawsuits and state compensation.

Senate Bill 2656. S.2656, seeks to make police disciplinary records open to the public under the Open Public Records Act, bringing New Jersey in line with New York, Connecticut and other states. This would include specific complaints filed against officers, the departments' factual findings into complaints, and any resulting discipline. The bill protects sensitive personal information such as an officer's medical records, biographical data, and home address.

Transparency is Foundational for Real Policing Reform. S.2656 is critical for other policing reforms to be effective.

- **Licensing.** The NJ Police Training Commission (PTC) recently voted to require new officers to obtain licenses that could be suspended or revoked if professional standards are violated. However, if police agencies are not properly investigating and disciplining officers, PTC will not have a basis to pull licenses.
- **Civilian Complaint Review Boards.** A CCRB cannot adequately investigate complaints against officers without full access to IA records. For example, if a CCRB is investigating an officer for using excessive force, it cannot see if the officer has a history of similar allegations filed with the police department.
- **Excessive use of force.** Use of force policies are only effective if there are consequences for officers who violate the rules.
- **Community policing.** Transparency is key to establishing trust between police and the people they serve, which is the bedrock of effective community policing.
- **Diversity in policing.** Women and officers of color frequently report being singled out and punished more harshly by IA units. Transparency will expose unfair disciplinary practices and foster a more equitable workplace.
- **Attorney General Policy.** Attorney General Gurbir Grewal issued a policy requiring police agencies to disclose the names of officers who received “serious discipline.” The order has been stayed as police unions fight it in court. The policy is insufficient because disclosure is limited to the names of officers who were fired, demoted or suspended for more than five days. The underlying complaints would remain confidential. The policy incentivizes agencies to exonerate officers rather than publish their names for disciplinary violations.

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The New Jersey Legislature has an opportunity to meet the moment and respond to demands for greater police transparency and accountability. **We urge you to prioritize and enact Senate Bill 2656.**

Sincerely,

American Civil Liberties Union of New Jersey  
 Antiracism in Action  
 Association of Criminal Defense Lawyers of New Jersey  
 Bayard Rustin Center for Social Justice  
 Bergen Grassroots Inc.  
 Black Community Watchline  
 Black in Bayonne  
 Black Lives Matter Morristown  
 Black Lives Matter Paterson  
 Camden County East NAACP  
 Central Jersey Progressive Democrats  
 Cherry Hill Women’s Center  
 Collingswood Democratic Committee  
 Dare Academy Camden  
 Essex Watch  
 Ethnos New Brunswick  
 Faith in New Jersey  
 Fifth and Sixth Ward Neighborhood Association (New Brunswick)  
 Gideon's Promise  
 Hotel Trades Council  
 Husky House  
 Indivisible NJ 5th District  
 Innocence Project  
 International Justice Project  
 Jersey City Together

Jersey Shore Wildlife Rescue  
JOLT USA  
Last Resort Wildlife Rescue  
Latino Action Network  
Latino Leadership Alliance of NJ  
LatinoJustice PRLDEF  
Law Enforcement Action Program (LEAP)  
Lazos America Unida  
Libertarian Party of New Jersey  
Libertarians for Transparent Government  
Metuchen Equity Commission  
NAACP of Metuchen & Edison  
National Association of Criminal Defense Lawyers  
National Association of Public Defense  
National Coalition of Latino Officers  
National Organization for Women of New Jersey  
National Police Accountability Project  
NeighborCorps Re-Entry Services  
New Brunswick Today  
New Jersey Campaign for Alternatives to Isolated Confinement;  
New Jersey Clergy Coalition for Justice;  
New Jersey Coalition for Sexual Assault (NJCASA)  
New Jersey Foundation for Open Government  
New Jersey Institute for Social Justice  
New Jersey Office of the Public Defender  
New Labor  
Newark Communities for Accountable Policing  
Next Chance Rescue  
NJ Animal Observer  
NJ Prison Justice Watch  
No More Pain Rescue  
Our Revolution Middlesex County  
Our Town Princeton  
Pax Christi NJ  
Piscataway Progressive Democratic Organization  
Pitbulls and Addicts  
Prison Policy Initiative  
RCHP-Affordable Housing Corp  
Reformers: Advocates for Animal Shelter Change in NJ  
Salvation and Social Justice;  
South Jersey Progressive Democrats  
Speak Up NJ  
The Reformed Church of Highland Park  
Transformative Justice Initiative  
Unitarian Universalist FaithAction NJ  
Ville Black Lives Matter  
Volunteer Lawyers for Justice  
Wind of the Spirit  
Women for Progress  
Women Who Never Give Up

Albert Pelham, President of the Montclair Branch of the NAACP  
Barry Scheck, Co-founder of the Innocence Project  
Byron Halsey, NJ Exoneree  
Charlie Kratovil  
Christopher Hedges, Pulitzer Prize Winning Journalist  
CJ Griffin, Esq. Director of the Justice Gary S. Stein Public Interest Center at Pashman Stein Walder Hayden  
D. Michael Risinger, John J. Gibbons Professor of Law Emeritus, Seton Hall University School of Law  
Deborah Smith Gregory, President Newark, NJ NAACP  
Dr. Yusef Salaam, Member of the Exonerated 5  
Edward Barocas, former Legal Director of the American Civil Liberties Union of New Jersey  
Gavin Rozzi, OPRAmachine  
James Louis, NJ Exoneree  
Jeffery Robinson, ACLU Deputy Legal Director and Director of the Trone Center for Justice and Equality  
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Justice Gary S. Stein (Ret.)  
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Paul Casteleiro, Esq., Legal Director, Centurion Ministries  
Professor Jessica S. Henry, Montclair State University  
Rabbi Elliott Tepperman, Bnai Keshet, Montclair, NJ  
Racquel Barrett, Mother of Maurice Gordon Jr.  
Raymond M. Brown, Esq.  
Reverend Derinzer Johnson, St. Stephen A.M.E. Zion Church  
Reverend Doctor Willard W.C. Ashley  
Reverend Dr. Charles Boyer, Bethel AME Church, Woodbury, NJ  
Reverend Karen G Johnston, Unitarian Universalist Minister  
Richard Coughlin, Federal Public Defender District of New Jersey  
Rick Robinson, Chairman NJSC NAACP/Newark, NJ NAACP Criminal Justice Committee  
Rodney Roberts, NJ Exoneree  
Sean Washington, NJ Exoneree  
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