



National Latino Peace Officers Association

New Jersey State Chapter

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TESTIMONY BEFORE

THE GOVERNOR’S ADVISORY COMMITTEE

ON POLICE STANDARDS

REGARDING TERMINATION OF 1999 CONSENT DECREE

ON RACIAL PROFILING BY NEW JERSEY STATE POLICE

NOVEMBER 21, 2006

TRENTON, NEW JERSEY

REPRESENTING NJSLPOA:

HECTOR L. RAMOS

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**FOR ADDITIONAL INFORMATION AND/OR COMMENTS REGARDING
TESTIMONY PRESENTED**

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On behalf of the National Latino Peace Officer's Association and its New Jersey Chapter, we would like to thank Governor Corzine and the Advisory Committee on Police Standards for the opportunity to testify on this very important subject, the potential termination of the 1999 consent decree.

First, let us provide you with a brief history of our organization. We were initially incorporated on August 7th, 1974 in the State of California. Our organization grew out of the need for a bridge between law enforcement and the community we serve. Additionally, acting collectively, we have been successful in advocating for Latino officers and members of the Latino community throughout the United States. One of our first achievements can be traced to our difference of opinion with the State of California regarding a height requirement for candidates seeking a position in law enforcement. While such a practice is now universally viewed as discriminatory and unconstitutional, at the time it was viewed as a standard recruiting practice for law enforcement agencies.

Challenging practices, which have been deemed discriminatory or unconstitutional, have been the driving force of this organization. Sometimes we have acted with the support of the court of public opinion, at other times, we had only the support of the judiciary. In the matter you are considering today, we believe we bring forth a common sense approach to the divisive matter of racial profiling.

Prior to addressing the three questions posed by this committee, a word of congratulations is due to Colonel Joseph Rick Fuentes for his efforts to eradicate racial profiling as an accepted practice by the Division of State Police. The Division of State Police has been an elite force since its inception in 1921 and we believe that the eradication of the use of racial profiling will better serve and enhance the reputation of the organization. We congratulate the fine men and women of the New Jersey State Police who on a daily basis provide an exceptional service to the citizens of this great State. The courageous efforts of the rank and file of the Division of State Police are what make possible the recommendations we offer today.

The National Latino Peace Officers Association recommends that the State of New Jersey join the United States Department of Justice in a motion to the United States District Court seeking the termination of the consent decree entered in 1999 to eliminate the practice of racial profiling.

However, our recommendation is inextricably coupled with the following precautionary measures that should be taken to prevent any backsliding on the gains achieved thus far:

- a) **Monitoring**- Monitoring must continue to ensure compliance. Standards of compliance should be codified consistent with the standards previously set forth by the federal monitors.

- b) **Monitoring Oversight** - A body independent of the New Jersey State Police should do monitoring oversight. The scope of oversight should include the Office of the Attorney General. The group charged with oversight responsibility should be diverse in nature and must include members of the Latino community.

- c) **Sustainability**- The office charged with oversight responsibility should be fully staffed and fully funded. In addition to compromising the mission of the oversight body, staffing or revenue short falls will send the wrong message regarding the commitment of the Executive and the Legislative branches to the mission of racial profiling prevention.

- d) **Empowerment**- The monitoring body should be created by statute. The body should be empowered with the authority to issue penalties and fines when it finds clear and convincing evidence of the use of racial profiling by a unit or individual.

- e) **Review**- The final recommendations should be accompanied with bi-annual reviews. The goals established in this initial legislation should be measurable and quantifiable. These reviews should make allowances for community input and should provide a vehicle to adjust, eliminate, or augment the initial set forth policies.

We believe the foregoing recommendations provide the transparency vital to regain and maintain the public's confidence that racial profiling is not a practice employed by the New Jersey State Police.

Similarly, we have received community complaints that local police departments throughout the State of New Jersey are engaging in the practice of racial profiling. Accordingly, we recommend that local police departments in the State of New Jersey be required to implement and observe the current checks and balances implemented by the New Jersey State Police to eliminate racial profiling practices at the local level. We believe the State Police model offers sufficient internal mechanisms to eradicate the practice of racial profiling for local police departments.

As with the New Jersey State Police, oversight of local police departments must come from an external source. We believe the State Police model and gained expertise, provide local governments with a great opportunity to replicate effective monitoring mechanisms, and best practices, to ensure that racial profiling or racially influenced policing does not take place in our local municipalities.

We want to add two additional recommendations that while not in the letter of the committee's charge, are nevertheless within the spirit of your charge. It is our opinion that many of the problems confronting law enforcement today can be substantially remedied by achieving racial diversity within the ranks and racial competency of all members. At present, Latinos in the New Jersey law enforcement community feel greatly

disenfranchised. We believe the Corzine administration has the capacity to provide the Latino law enforcement community something it has lacked in the past, an opportunity to be part of the solution.

Once again, we want to thank you for affording us the opportunity to testify before this committee. We will be happy to answer any of your questions.

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