

Appendix A

Committee Member Biographies

- *James E. Johnson, Chair.* Mr. Johnson is a partner with Debevoise & Plimpton LLP, focusing on white collar criminal defense, internal investigations, corporate compliance and corporate crisis management in connection with internal investigations. Mr. Johnson held several senior positions in the United States Department of the Treasury, including Under Secretary of the Treasury for Enforcement and Assistant Secretary of the Treasury for Enforcement. Mr. Johnson also served as an Assistant US Attorney for the Southern District of New York and Deputy Chief of the Criminal Division. Mr. Johnson was named by President Clinton to co-chair the National Church Arson Task Force, formed in response to a wave of arsons reported at African-American churches throughout the South. Mr. Johnson has received numerous awards for his service and accomplishments in both private practice and public service.
- *Larry L. Bembry.* Larry Bembry has a diverse background in the public and private sectors as a public servant, practicing attorney and community activist. Mr. Bembry is currently the director of the Office of Grants Administration and Compliance for the City of Jersey City. His duties involve the management of all stages of the grant process for the City. He is a former Assistant Corporation Counsel for Jersey City, where his legal responsibilities included real estate, insurance and employment law. Mr. Bembry has also arbitrated a variety of cases as a former arbitrator with the American Association of Arbitrators. While on the legal staff for the New Jersey Department of Banking and Insurance (formerly named the New Jersey Department of Insurance), he concentrated on legal and regulatory issues concerning insurance and real estate laws. Subsequently, he was appointed by Governor James Florio as one of the first Ombudsman to the New Jersey Department of Insurance and as a Commissioner of the New Jersey Department of Real Estate from 1992 to 1994. In his commitment to “give back” to his community, Mr. Bembry has devoted a substantial amount of time and effort in working with local non-profit organizations, including the Boys and Girls Clubs of America, Newark Fighting Back Partnership (an organization dedicated to reducing substance abuse in the city of Newark), Newark Public Schools, Urban League of Hudson County, Jersey City NAACP and Montclair Neighborhood Development Corporation. It is through these experiences that Mr. Bembry has continually advocated for improvements in the delivery of public services and the quality of life for the residents of the State of New Jersey. He is also Of Counsel with the law firm of Timins, Beacham and Hughes, located in Livingston, New Jersey. Mr. Bembry is the former Director of Grants Administration and Compliance for the City of Jersey City. Mr. Bembry earned a Bachelor of Arts in Political Science from Rutgers University, a Masters of Arts degree in Sociology from New Jersey City University and a Juris Doctor from Seton Hall University Law School.

- *Ellen Brown.* Ms. Brown is Director of Strategic Initiatives for the New Jersey Institute for Social Justice, where she focuses on the economic dimensions of social justice and ensuring that urban areas and urban residents benefit from local and regional economic activity. Ms. Brown specializes in development finance and the elimination of disparities in access to financial services, particularly for urban communities, minorities and immigrants; small, minority and micro business development; increasing living wage employment opportunities and career growth for urban residents; and regional economic development. At the Institute, she works to maximize the economic development potential offered by growing industry sectors in the greater Newark metropolitan region. She is also responsible for institutional operations, communications and administration. Prior to joining the Institute, Ms. Brown worked for the Ford Foundation in New York and in Johannesburg, South Africa. Ms. Brown was also an investment manager in corporate finance for the Prudential Insurance Company of America. She holds an MBA from Columbia University.
- *Michelle Carroll.* Ms. Carroll is the President of the Survivors of the Triangle, a New Jersey Chapter of Concerns of Police Survivors, Inc., which provides resources to assist in the rebuilding of the lives of surviving families of law enforcement officers killed in the line of duty. Ms. Carroll's husband, Billy Carroll, was killed in the line of duty in 1984.
- *Kevin P. Donovan.* Mr. Donovan is the Vice President of Worldwide Security of Johnson & Johnson based in New Brunswick, NJ. Prior to joining Johnson & Johnson, Mr. Donovan held a number of leadership positions during his twenty-five-year career in the FBI. In his most recent position, Mr. Donovan was the Assistant Director of the FBI in charge of the New York Office, where he was responsible for leading 2,500 FBI agents and other FBI employees. During prior years, Mr. Donovan served as the Special Agent in Charge of the Newark, NJ Office of the FBI. Mr. Donovan has led high-profile investigations into incidents such as the bombing of the USS Cole in Yemen, the bombing of the US Embassies in East Africa and the Daniel Pearl kidnapping. Mr. Donovan received his Bachelor's Degree in Biology from Adelphi University and a Master's Degree in Criminal Justice from the John Jay College of Criminal Justice.
- *James E. Harris.* Mr. Harris is the President of the New Jersey National Association for the Advancement of Colored People (NAACP), the former President of the Montclair Branch of the NAACP and First Vice President of the State Conferences of NAACP branches. Mr. Harris has received numerous awards for his social policy work and leadership in education, including Community Service Awards as President of the Montclair NAACP and recognition from the New Jersey Association of Black Educators, the New Jersey Black United Fund and the New Jersey Alliance of Black Educators. Mr. Harris is also Associate Dean of Students and University

Ombudsman at Montclair State University. He earned his BA in Social Studies with a New Jersey Secondary School Certification from Montclair State College, now Montclair State University. He holds Master's degrees in Personnel Service and in Public Administration. He is currently pursuing a doctorate degree in Public Administration at New York University. Mr. Harris is also a retired Major of the New Jersey National Guard.

- *Jerome C. Harris, Jr.* Mr. Harris is Chairman of the New Jersey Black Issues Convention. Mr. Harris is also the President of the Harris Organization, a strategic consulting firm specializing in community and organization development, and an adjunct Professor in the Political Science Department at Rowan University. Mr. Harris formerly served as Executive Director of the Urban and Public Policy Institute at Rowan University of New Jersey. He is a former Assistant Secretary of State and Assistant State Treasurer for New Jersey. He has also served as the Essex County Administrator, City Administrator for the City of Plainfield and Vice President for Government Affairs for the Metro Newark Chamber of Commerce. Mr. Harris holds an MS in Urban Planning and Public Policy Analysis from Rutgers University. He is a member of the board of the New Jersey Public Policy Research Institute, the Capital Corridor CDC, CAMConnect and the Camden African American Cultural Center.
- *Reverend Reginald Style Floyd, Esq.* Reverend Floyd. is the Senior Pastor and Founder of Christ Worship Center Worldwide in Atlantic City, and he is also the Chief Public Defender for the City of Atlantic City. In 1997, Reverend Floyd founded and is currently Chair of the Community Center of Atlantic City, a non-profit organization that built the 1.2 million dollar Allen Community Life Center in Atlantic City and which currently serves the community through educational and social activities. Married to Monique S. Floyd, a seventh-grade math teacher, they have four children and reside in Northfield, NJ. Reverend Floyd received a Bachelor of Arts from Bates College, a Masters of Education from Harvard University and a Juris Doctor from Rutgers School of Law-Newark.
- *Jonathan L. Goldstein.* Mr. Goldstein served as United States Attorney for the District of New Jersey from 1974 through 1977. Thereafter, he joined the law firm of Hellring Lindeman Goldstein & Siegal, where for over twenty-five years he has represented financial institutions, corporations and individual clients in complex business litigation in the federal courts throughout the United States and the state courts in New Jersey. Mr. Goldstein has served on the United States District Court for the District of New Jersey's Lawyers Advisory Committee; as a member and Chairman of the New Jersey Supreme Court's District Ethics Committee for Essex County; as Co-Chairperson of then-United States Senator Jon S. Corzine's Judicial Selection Committee; and most recently as Co-Chairperson of then-Governor-Elect Jon S. Corzine's Homeland Security and Public Safety Transition Policy Group. Mr.

Goldstein graduated from the University of Pennsylvania in 1962 and from the New York University School of Law in 1965.

- *Carmelo V. Huertas*. Mr. Huertas is a retired Major of the New Jersey State Police (NJSP), with twenty-five years of service with the NJSP. After spending six years as an NJSP Trooper, Mr. Huertas subsequently became an instructor for the NJSP Academy, where he was responsible for developing training programs and providing instruction in basic and advanced law enforcement. Mr. Huertas was then selected to develop and lead the creation of the State House Complex Security Unit, which expanded to more than one hundred personnel. Mr. Huertas has also served as commanding officer of various divisions of the NJSP. He is currently the Chief for the University of Medicine and Dentistry of New Jersey. Mr. Huertas earned a Bachelor of Science degree from the University of the State of New York, a Master's degree from Seton Hall University and a Juris Doctor degree from Seton Hall Law School. He also has a distinguished military career and has been awarded several service medals and commendations.
- *Pastor J. Stanley Justice*. Pastor Justice serves as the Pastor of Mt. Zion AME Church, the oldest historic African-American church in the City of Trenton. He received the call to preach in 1971, and has served several congregations since that time. Pastor Justice is extremely involved in the Trenton community, holding a number of positions with community organizations, including Chief Executive Officer of the New Jersey HDC-State Commission on HIV/AIDS; Chairman of the Mt. Zion Neighborhood Development and Economic Corporation; member and Vice-Chairman of the African Methodist Episcopal Church, New Jersey Annual Conference Board Of Trustees; President of the Camden Trenton District Ministers Alliance; Chairperson of the South Jersey Political Council; and Chairman of the Education Committee of the New Jersey Black Ministers Council, in which capacity he has been very active in working on the problem of racial profiling on the New Jersey Turnpike. Pastor Justice has received the NAACP's Religion Award, and the first-ever Mercer County consortium HIV/AIDS Award.
- *Samer E. Khalaf*. Mr. Khalaf is an associate with the New York law firm of Barnes, Iaccarino, Virginia, Ambinder & Shepherd and specializes in labor law and ERISA. He received a BA in Political Science from Virginia Commonwealth University and a JD with a Certificate in Law and Public Policy from The Catholic University of America, School of Law in Washington, DC. Mr. Khalaf serves on the Boards of Directors of the American-Arab Anti-Discrimination Committee—New Jersey Chapter, Mental Health Association in Passaic County, the Arab American Family Center of New Jersey, and the Arab American Family Support Center of Brooklyn, New York. He is a member of the Arab American Institute's National Policy Council. Additionally, Mr. Khalaf sits on The New Jersey Attorney General's Arab

and Muslim Advisory Committee. He has served on the Board of Trustees of St. Mark's Syrian Orthodox Cathedral in Teaneck, NJ.

- *Carlos F. Ortiz.* Mr. Ortiz is a partner at DLA Piper, where he focuses on white collar representations. Before entering private practice, Mr. Ortiz had a distinguished prosecutorial career, most recently as Deputy and Acting Chief of the Criminal Division the US Attorney's Office for the District of New Jersey. While at the US Attorney's Office, he also served in the Special Prosecution Division, where he tried a number of high-profile corruption cases. Mr. Ortiz has received a number of notable awards, including the Department of Justice's Special Achievement Award, the Tax Division's Outstanding Attorney Award and an award from the National Center for Missing and Exploited Children, and has been honored at the White House by President Bush. Mr. Ortiz served as President of the New Jersey Hispanic Bar Association in 2004, and is a Co-founder and former Vice-President of the National Hispanic Prosecutor's Association. Mr. Ortiz previously served on Governor Corzine's Homeland Security Advisory Transition Committee.
- *Michael A. Rambert.* Mr. Rambert is Counsel with the law firm of Parker McCay, where he concentrates his practice in all aspects of real estate development and redevelopment. He also serves as general counsel for several companies, providing legal advice and representation in various commercial transactions, including structured financing and the negotiation of private and government contracts. Mr. Rambert is Immediate-Past President of the Garden State Bar and a Director of the Land Use Section of the New Jersey State Bar Association. He has authored several articles and presented a number of workshops on land use and government programs, among other topics. Mr. Rambert has a Bachelor of Arts in geography from Middlebury College, a Master of City Planning from the University of Pennsylvania, a Juris Doctor from the Ohio State University and is a graduate of the Venture Capital Institute.
- *Mitchell C. Sklar.* Mitchell C. Sklar is the Executive Director of the New Jersey State Association of Chiefs of Police (NJSACOP). As the Chief Executive Officer of the Association, he is responsible for overall administration, professional services, training and professional development, government and public affairs, publications, budgeting and staff management of one of the largest police executive organizations in the country. He is the registered legislative agent representing the Association before the New Jersey Legislature. Mr. Sklar is also the Executive Director of the New Jersey Police Chiefs Foundation. Prior to joining the NJSACOP, Mr. Sklar served as Legislative Assistant for Law Enforcement, Criminal Justice, Judiciary, Legal and related issues for United States Senator Frank R. Lautenberg. He has also served as Director of Government Relations for the National Association of Alcoholism and Drug Abuse Counselors in Washington, DC, an Assistant Municipal Court Prosecutor in New Jersey, Judicial Law Clerk in the New Jersey Superior Court

and an attorney in private practice. Mr. Sklar received his Juris Doctor degree from the Rutgers University School of Law—Camden, a Master of Administrative Science degree from Fairleigh Dickinson University and a BA in Politics and Government from the University of Hartford. He has also completed the Nonprofit Management Program at The College of New Jersey, and has attained the Certified Association Executive designation from the American Society of Association Executives. Mr. Sklar currently serves as an Alternate Commissioner on the New Jersey Police Training Commission, on the NJ State Operating Council of MADD New Jersey and on the Board of Directors of the New York/New Jersey State Law Enforcement Asian American Advisory Committee. He is a member of the Governing Board of the New York-New Jersey Regional Center for Public Safety Innovations at the John Jay College of Criminal Justice. In addition, Mr. Sklar is a member of the Legal Officers Section of the International Association of Chiefs of Police. He is also a member of the National Organization of Black Law Enforcement Executives (NOBLE), the New Jersey Employer Support of the Guard and Reserve Committee (ESGR), the New Jersey Association of Criminal Justice Educators, the Police Executive Research Forum and the American Society for Law Enforcement Training. Mr. Sklar has attended the “Law Enforcement Executive Leadership Seminar” at Wroxton College in Wroxton, England and the “Police Legal Advisors Training Program” at the Federal Law Enforcement Training Center in Glynco, Georgia. In 2007, Mr. Sklar was appointed by New Jersey Attorney General Anne Milgram as co-chair of the Attorney General’s Advisory Committee on Less Lethal Ammunition.

- *Edwin H. Stier.* Mr. Stier is a member of Thacher Associates LLC, which provides investigative and integrity monitoring services for corporate and government clients. Mr. Stier is also a member of Stier Anderson LLC. Before entering private practice in 1982, he was a federal and New Jersey State Prosecutor for more than seventeen years. His public service has included serving as an Assistant US Attorney in New Jersey, as Chief of the Criminal Division of the US Attorney’s Office, and as Director of the New Jersey Division of Criminal Justice, the nation’s largest and most powerful state-level prosecutorial agency. Since leaving public office, Mr. Stier has conducted and supervised investigations for private and public entities throughout the country, including monitoring the clean-up activities at the World Trade Center following the September 11, 2001 terrorist attack. Beyond his law practice, urban social problems have been the primary focus of Mr. Stier’s attention since leaving government. He has assumed leadership positions in a number of non-profit organizations devoted to attacking their root causes.
- *Theresa L. Yang.* Ms. Yang is in-house counsel for Greater New York Insurance Company, where she defends the interests of employers in Workers’ Compensation matters. She is also a Barrister in the NJ Workers’ Compensation Inn of Court. Ms. Yang has given Seminars regarding Workers’ Compensation law. She has served on the NJ Supreme Court Committee in reference to Women in the Courts. Ms. Yang

was also recognized in an issue of the *New Jersey Law Journal* in 2003 as being among the Top Minorities and Women in the Legal Profession. She was a panelist during a Rutgers Law School Women of Color Seminar. Ms. Yang is the Past President of the Asian Pacific American Lawyers' Association of NJ. She graduated from Rutgers College in New Brunswick, NJ and received her law degree from Pace University School of Law.

- *Scott Louis Weber*. Mr. Weber is a Partner at Patton Boggs LLP and concentrates in complex litigation with an emphasis in general commercial and class action defense, white-collar criminal defense and internal investigations, toxic tort and product liability. Mr. Weber has acted as principal or second chair in numerous trials in state and federal courts, as well as in arbitrations and has been retained to conduct internal investigations, review internal controls and create and modify compliance programs. Recently, Mr. Weber served as the Senior Counselor to the Secretary at the US Department of Homeland Security, assisting the Secretary with policy development, operations and legal analysis. His portfolio included infrastructure protection; preparedness; continuity of operations; work with FEMA, DNDO, and S&T; emergency communications; strategic alliances; and private sector matters. Mr. Weber served with Michael Chertoff as Special Counsel to the NJ Senate Judiciary Committee during its 2000-2001 review of racial profiling. Mr. Weber has appeared in several media outlets including *CNN*, *MSNBC*, *Fox News*, *CNBC's Kudlow & Company*, *BBC Television (UK Domestic)* and *The National Journal* discussing law enforcement and homeland security matters. Additionally, he was named to the *New Jersey Law Journal's* "40 Under 40" listing in July 2006.

Appendix B

Individuals Who Testified Before the Committee

1. Dr. Geoffrey Alpert, Professor of Criminology and Criminal Justice at the University of South Carolina and member of the Peer Review Team
2. Sean Anderson, eleven year old boy who complained about racial profiling
3. Ms. Anderson, mother of Sean Anderson
4. Captain Christopher Andreychak, Statewide Operation Ceasefire
5. Don Arrington, People's Organization for Progress
6. Bella August, People's Organization for Progress
7. Edward Barocas, Legal Director of the American Civil Liberties Union of New Jersey
8. Munireh Bomani, community activist and Newark resident
9. Dr. Richard Brooks, Professor of Law at the Yale School of Law and member of the Peer Review Team
10. William Buckman, trial attorney specializing in civil rights and criminal litigation
11. Charles V. Campisi, Chief of the Internal Affairs Bureau, New York City Police Department
12. Sam Clark, former Lieutenant with the Newark Police Department
13. Chief John Coyle, Egg Harbor Township Police Department and President of the New Jersey Association of Chiefs of Police
14. Robert Del Tufo, former Attorney General
15. Drew Diamond, Deputy Director of the Police Executive Research Forum
16. Dr. Mary Eckert, Special Investigator at the Office of State Police Affairs
17. Joshua Ederheimer, Director of the Police Executive Research Forum's Center for Force and Accountability
18. Mohammed Elfilali, Outreach Islamic Center of Passaic County
19. Dr. Jeffrey Fagan, Professor of Law and Public Health and Co-Director of the Center for Crime, Community and Law at Columbia University, and member of the Peer Review Team
20. John J. Farmer, Jr., former Attorney General
21. Wayne Fisher, The Police Institute at Rutgers-Newark
22. Captain Tom Flarity, Executive Officer, Office of Professional Standards
23. Barbara Flowers, aunt of Warren Lee, who died after an encounter with the State Police
24. Steve Flynn, President of the State Troopers Superior Officers Association
25. Kenneth Freeman, former Senior Investigator for Internal Affairs for the New Jersey Department of Corrections
26. Colonel Rick Fuentes, Superintendent of the New Jersey State Police
27. Richard Gacina, lifelong New Jersey resident
28. Dan Giaquinto, Assistant Attorney General and then-Director of the Office of State Police Affairs
29. Dr. James Ginger, Court-appointed Independent Monitor of the Consent Decree

30. Roger Goldman, Callis Family Professor of Law, St. Louis University School of Law
31. Lieutenant Luis Guzman, Vice President of the New Jersey Chapter of the Latino Peace Officers Association
32. Captain Keith Hackett, Bureau Chief of the Intake and Adjudication Bureau of the Office of State Police Affairs
33. Dennis Hallion, President of the New Jersey State Troopers Non-Commissioned Officers Association
34. Lawrence Hamm, People's Organization for Progress
35. David Hancock, Assistant Prosecutor, Union County Prosecutor's Office
36. Peter Harvey, former Attorney General
37. Justin Hobson, former New Jersey State Trooper
38. John Howell, New Jersey resident who complained about racial profiling
39. Desha Jackson, Acting Director of the Office of State Police Affairs
40. Rev. Reginald Jackson, Pastor of Saint Matthew African Methodist Episcopal Church and Executive Director of the Black Ministers' Council of New Jersey
41. Deborah Jacobs, Executive Director of the American Civil Liberties Union of New Jersey
42. Dr. Richard Jerome, Deputy Monitor, City of Cincinnati, and Former Deputy Associate Attorney General of the United States
43. David Jones, President of the State Troopers Fraternal Organization of New Jersey
44. George Kelling, Senior Fellow at the Manhattan Institute, Professor in the School of Criminal Justice at Rutgers University, and Fellow at the Kennedy School of Government at Harvard University
45. Wilburt Kornegay, President of the Clinton Hill Southwood Improvement Association and Member of the People's Organization for Progress
46. Dr. John Lamberth, social psychologist and CEO of Lamberth Consulting
47. Major Mary Beth Mahlmann, Commander of Troop C of the New Jersey State Police
48. Jose Martinez, New Jersey Chapter of the Latino Police Officers Association
49. Chief Michael Mastronardy, Dover Township Police Department
50. Lieutenant Colonel Juan Mattos, Deputy Superintendent of Operations, New Jersey State Police
51. Mr. Mawla, Member of the Arab American Anti-Discrimination Committee
52. Jack McDevitt, Associate Dean for Research and Graduate Studies in the College of Criminal Justice at Northeastern University
53. Honorable John Molinelli, Bergen County Prosecutor
54. Brian Morris, Vice President of the New Jersey chapter of the National
55. Jack McDevitt, Associate Dean for Research and Graduate Studies in the College of Criminal Justice at Northeastern University
56. Lloyd Nippins, Accreditation Program Manager for the New Jersey State Association of Chiefs of Police

57. Chief Howard O'Neil, Chief of Police of Neptune Township
58. Captain Chris O'Shea, Staff Supervisor of Enlisted Personnel, Office of State Police Affairs
59. Esmay Parchment, Essex County resident
60. Martin Perez, President of the Latino Leadership Alliance
61. Manuel Quinoa, Chief Investigator at the Office of State Police Affairs
62. Michael Reimer, attorney who has represented seven State Troopers over the last four years in suits against the State Police
63. Roberto Reyes, Vice President of the New Jersey Chapter of the Latino Peace Officers Association
64. Alberto Rivas, Esq. Court-appointed Independent Monitor of the Consent Decree
65. Ana Cuqui Rivera, Secretary of the New Jersey Chapter of the Latino Peace Officers Association
66. Richard Rivera, retired police officer
67. Nina Rossi, attorney
68. Umar Salahaddin, citizen
69. Jiles Ship, President of the New Jersey chapter of the National Organization of Black Law Enforcement Executives
70. Eversley Siforntes, retired police officer from the City of Newark
71. Renee Steinhagen, Executive Director of New Jersey Appleseed Public Interest Law Center
72. Bob Stewart, consultant, former police officer, and former Executive Director of the National Organization of Black Law Enforcement Executives
73. Scott Turner, State Police Sergeant First Class
74. Dr. Samuel Walker, Emeritus Professor of Criminal Justice, University of Nebraska-Omaha
75. Mary Weaver, mother of a young man killed in a high speed chase
76. Chuck Wexler, Executive Director of the Police Executive Research Forum
77. H. Lawrence Wilson, Jr., President of the New Jersey Council Charter Members of the National Black Police Association
78. Christopher Winship, Diker-Tishman Professor of Sociology at Harvard University and member of the Peer Review Team
79. Russell Yancey, People's Organization for Progress
80. Mr. Yorker, father of Diamond Yorker and Randall Yorker, two New Jersey boys who complained about racial profiling

Appendix C

Mayors and Mayors' Representatives Who Spoke to the Committee

1. Chief Sean Canning, Lincoln Park Police Department
2. Councilwoman Susan Delanzo, Middleton Township
3. Lt. Thomas DeSimone, Operations Commander of the Plainsboro Police Department
4. Jason Holt, Corporation Counsel for East Orange
5. Larry Holtz, representing Woodbine
6. Captain Bob Janzejovich, East Brunswick Township Police Department
7. Chief Derek Kearns, Harrison Police Department
8. Michael Knoll, Patrolman from East Brunswick Township
9. Councilman Andrew Lark, Summit
10. Captain Joseph Madden, Park Ridge Police Department
11. Mayor Tim McDonough, Hope Township
12. Chief Joe Pica, West Windsor Police Department
13. Mayor Anthony Suarez, Richfield
14. Douglas Walker, Administrator, High Bridge Borough
15. Captain Scott Webster, Middleton Township
16. Robert Weisert, Director of the Netcong Police
17. Officer in Charge Dominick Zeveney, Franklin Township/Hunterdon Police Department

New Jersey Advisory Committee on Police Standards

Local Police Survey

1. What standard operating procedures has your department put in place to implement State policy prohibiting “racially-influenced policing”¹, including the Attorney General’s Law Enforcement Directive 2005-1?
 - A. Has your department implemented any other rules, requirements, etc. to implement Directive 2005-1?
 - i. If so, please describe below
 - B. Please submit copies of any policies, procedures, etc. adopted pursuant to the Directive.
 - C. Please also submit copies of any Notifications of Criminal Investigations and Prosecutions for Official Deprivation of Civil Rights made pursuant to Paragraph 5 of Directive 2005-1.

¹ “Racially-influenced policing” is defined under Section 2 of the Attorney General’s Law Enforcement Directive No. 2005-1 as “consider[ing] a person’s race or ethnicity as a factor in drawing an inference or conclusion that the person may be involved in criminal activity, or as a factor in exercising police discretion as to how to stop or otherwise treat the person[.]” Racially-influenced policing is commonly known as “racial profiling.”

2. Other than the initial training mandated by Directive 2005-1, has your department trained personnel on State standards for non-discriminatory policing/racial profiling?
 - A. If so, when?
 - i. At hire
 - ii. Annually
 - iii. Every few years
 - iv. Other (specify):
 - B. Roughly what percentage (range) of sworn personnel and dispatchers have received such training?
 - C. Roughly what percentage (range) of other personnel have received such training?
 - D. Are new hires trained at your department or solely at the academy?
 - E. What methods or materials does your department use to provide this training?
 - i. State training video
 - ii. Eradicating Racial Profiling Companion Guide
 - iii. Internally-generated methods/materials [please describe]
 - F. Does your department provide specialized training of any kind for patrol supervisors?
 - i. If so, what does the supervisory training consist of?
 - ii. Does it include information about racial profiling?

3. What is the racial composition of your police department, at the:

A. Rank and file level

- i. Caucasian - _____%
- ii. African-American - _____%
- iii. Hispanic - _____%
- iv. Asian - _____%
- v. Other [please specify] - _____%

B. Senior management level

- i. Caucasian - _____%
- ii. African-American - _____%
- iii. Hispanic - _____%
- iv. Asian - _____%
- v. Other [please specify] - _____%

4. Does the department do outreach to the communities that it serves to help them understand the police department better? Please describe any such outreach.

5. What if any community policing initiatives does the police department engage in? Please describe.

6. How many complaints has your department received containing allegations of racial profiling?
 - A. Roughly what percentage of all complaints raise allegations of racial profiling?
 - B. How many of those complaints were determined to have merit administratively or by the courts?
 - C. What is your department's procedure for investigating such complaints?
 - D. Has your department or any of its personnel been named in any lawsuits containing allegations of racial profiling?
 - i. If so, how many?
 - ii. What is the status of each of those actions?

9. What, if any, systems does your department use to document actions taken to stop or detain citizens? Please indicate for each of the types of investigative detention listed below what forms of documentation, if any, are used (written, computerized, video, other). Please indicate whether documentation is always obtained, or only in the event of arrests or issuance of summonses/complaints/warrants. Finally, please indicate whether reports must be approved before submission.

A. Traffic Stops

- i. How are they documented? What automated systems, if any, are used in this process?

- ii. When are they documented?
 - (a) After all stops?
 - (b) After arrests only?
 - (c) After stops resulting in summons/complaint/warrant?
 - (d) Other [please describe]?

- iii. What, if any, supervisors review documents before filing?

B. Criminal-suspicion [non-traffic] Stops

- i. How are they documented? What automated systems, if any, are used in this process?

- ii. When are they documented?
 - (a) After all stops?
 - (b) After stops resulting in summons/complaint/warrant?
 - (c) After arrests only?
 - (d) Other [please describe]?

- iii. What, if any, supervisors review documents before filing?

C. Field Inquiries

- i. How are they documented? What automated systems, if any, are used in this process?

- ii. When are they documented?
 - (a) After all stops?
 - (b) After stops resulting in summons/complaint/warrant?
 - (c) After arrests only?
 - (d) Other [please describe]?

- iii. What, if any, supervisors review documents before filing?

D. Consent Searches

- i. How are they documented? What automated systems, if any, are used in this process?

- ii. When are they documented?
 - (a) After all searches?
 - (b) After searches resulting in summons/complaint/warrant?
 - (c) After arrests only?
 - (d) Other [please describe]?

- iii. What, if any, supervisors review documents before filing?

- iv. Is supervising approval required before officer requests consent to search?

10. In the reports described above or otherwise, what if any data does your department collect and maintain about investigative detentions?
 - A. Are officers required to keep any kind of patrol log? (Please describe)
 - B. Do the records include the race or ethnicity of detained persons, whether or not an arrest is made or a summons/complaint/warrant is issued?
 - C. Do the records include length of stop?
 - D. In what format are the records as to this issue maintained?
 - i. Electronic
 - ii. Paper
 - iii. Other [please describe]?
 - E. Where are the records maintained?

11. Has your department purchased or does it use any kind of computerized or other electronic management system that tracks compliance with State policy prohibiting racial profiling?
 - A. Roughly what percentage (range) of your patrol cars are equipped with these systems?

12. Does your department use Mobile Video Recording (MVR) devices?
- A. If so, when are they activated?
- i. at discretion?
 - ii. automatic when lights go on?
 - iii. audio component?
 - iv. Other [please specify]?
- B. Under what circumstances are those recordings reviewed by first line or higher supervisors? [Circle all that apply]
- i. On a set schedule?
 - (a) How frequently? (Monthly? Quarterly? Biannually? Annually?)
 - ii. Randomly?
 - (a) How are recordings selected for random review?
 - iii. When criminal prosecution is pursued?
 - iv. When a complaint is made against an officer?
 - v. Based on some other triggering mechanism? [please describe]
- C. By whom are the recordings reviewed?
- D. How are the recordings stored?
- E. When did your department obtain the MVR devices?

13. Please describe any tools you would like to have to ensure or enhance compliance with State policy regarding racial profiling, including the Attorney General's Law Enforcement Directive 2005-1.
 - A. Mobile Video Recording (MVR)?
 - B. Database systems?
 - C. Software?
 - D. Supplementary training?
 - E. Other [please specify]?

14. Please provide any operational, policy, legislative or other recommendations you might have for your department and other local and county departments in the State.

New Jersey Advisory Committee on Police Standards

County Prosecutor's Survey

1. County Name _____

2. How many police departments are there in your county?

3. How many police departments in your county have community outreach programs?

4. How many police departments in your county engage in community policing initiatives?

5. How many complaints has your office received alleging racial profiling or other disparate treatment in your county?
 - a. Roughly what percentage of all complaints raise allegations of racial profiling or other disparate treatment?

 - b. How many of those complaints were determined to have merit administratively or by the courts?

- c. What is your office's procedure for investigating such complaints?

6. Without identifying any individual, please set forth a brief summary of each complaint of racial profiling and the disposition of that complaint, including discipline, if any, of the officer.

7. What professional enhancement programs does your office make available to police departments in your county? (mentoring, in-service training, etc.)
 - a. How many police departments in your county participate in these programs?

8. How many departments in your county use some form of computer aided system to document calls when they come into dispatch?

- a. What are the most commonly used form/s of computer aided system used by towns in your county?

9. How many departments in your county use Mobile Video Recording (MVR) devices?

10. Please describe any tools you believe departments should have to ensure or to enhance compliance with State policy regarding racial profiling, including the Attorney General's Law Enforcement Directive 2005-1.
 - a. Mobile Video Recording (MVR)?

 - b. Database systems?

 - c. Supplementary training?

 - d. Other [please specify]?

11. What oversight mechanisms do you recommend the state adopt to ensure local compliance with Directive 2005-1?

Please provide any operational, policy, legislative or other recommendations you might have for your department and other local and county departments in the State.

Appendix E

Local Police Survey Responses

Response Received:

1. Chief William Alexander (Bloomingdale Police)
2. Chief George Becker (Flemington Borough Police)
3. Chief Michael Beltran (Boonton Town Police)
4. Chief Irving Bradley, Jr. (Newark Police)
5. Chief Frederick Brown (Raritan Township Police)
6. Chief James Chelel (South Orange Police)
7. Chief Timothy Codispoti (Vineland Police)
8. Chief James Collins (Hamilton Police)
9. Chief Joseph Conlin (Pemberton Borough Police)
10. Chief Joseph Cornely (Evesham Township Police)
11. Chief Edward Costello, Jr. (Edison Police)
12. Chief Robert Coyle (Tolowa Police)
13. Chief James Debbie, Jr. (Mountainside Police)
14. Chief Michael Digiorgio (Franklin Township Police)
15. Chief Edward Donohue (Lower Township Police)
16. Chief John Dowie (Kearny Police)
17. Chief John Ferraro (South Plainfield Police)
18. Chief Edwin Figueroa (Camden City Police)
19. Chief Brian Fitzgerald (Branchburg Township Police)
20. Chief Frank Gurnari (Bogota Borough Police)
21. Hopatcong Borough Police
22. Chief Frank Ingemi (Hammonton Police)
23. Chief Allan Kurylka (Frenchtown Borough Police)
24. Lt. Steven Martin (Mount Holly Township Police)
25. Chief Robert Matteucci (North Wildwood Police)
26. Chief Patrick McCaffery, St. (Pennsville Police)
27. Chief Frank McHenry (Lindenwold Police)
28. Chief Reed Merinuk (Woodbury Police)
29. Chief George Meyer (Hopewell Township Police)
30. Chief Robert Mirabelli (Phillipsburg Police)
31. Chief Robert Moore (Dunellen Police)
32. Chief William Moore (Sea Bright Police)
33. Chief Rafael Muniz (Washington Township Police)
34. Chief William Nally (Lacey Township Police)
35. Chief Robert Oches (Middletown Township Police)
36. Chief Howard O'Neil (Neptune Township Police)
37. Chief Michael Peckerman (Parsippany-Troy Hills Police)
38. Chief Lee Peterson (Lower Alloways Creek Police)
39. Chief Richard Peterson (Mount Arlington Police)

40. Chief Alan Porter (Longport Police)
41. Chief Glenn Scheetz (Wenonah Police)
42. Chief Ronald Simon (Elizabeth Police)
43. Chief Lawrence Spagnoal (Paterson Police)
44. Chief Kent Sweigert (Belvidere Police)
45. Chief John Tofanelli (Caldwell Borough Police)
46. Chief John Tomasula (Newton Police)
47. Chief Robert Troy (Jersey City Police)
48. Director Jeffrey Welz (Weehawken Police)
49. Chief Jeffrey Wentz (Bridgeton Police)
50. Chief Roy Wherry (Vernon Township Police)
51. New Jersey Transit Police

No Response Received:

1. Chief James Eufemia (Hightstown Police)
2. Chief Alan Fox (West Wildwood City Police)
3. Chief Michael Frew (South Hackensack Police)
4. Chief John Frosoni (Watchung Police)
5. Chief Scott Marinelli (Lopatcong Township Police)
6. Chief Michael Mastronardy (Dover Township Police)
7. Director George Pugh II (Lawnside Police)
8. Chief Paul Sharkey (Ship Bottom Borough Police)
9. Chief Arthur Snellbaker, Sr. (Atlantic City Police)
10. Chief Ronald Sorrell (Salem Police)
11. Chief David Zagar (Berkeley Heights Police)
12. Chief Charles Zisa (Hackensack Police)

Appendix F
COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK

LAW SCHOOL

Jeffrey Fagan
Professor of Law

Telephone 212.854.2624
Fax 212.854.7946
Email jfagan@law.columbia.edu

Memorandum

To: James E. Johnson, New Jersey Advisory Committee on Police Standards
From: Jeffrey Fagan
Geoffrey Alpert
Richard Brooks
Christopher Winship
Re: Lamberth-Kadane Report on New Jersey State Police Stop Activity on the
Southern End of the New Jersey Turnpike
Date: April 10, 2007

We completed the review of the report by John Lamberth and Jay Kadane (LK) submitted on behalf of the American Civil Liberties Union, pursuant to the Consent Decree between the U.S. Department of Justice and the State of New Jersey (*CIVIL NO. 99-5970(MLC)*) following *State v. Soto* (324 N.J. Super. 66, 351 (1996)). We also reviewed their February 22, 2007 letter to the Committee that responded to questions raised by our committee. We begin with a summary and then discuss data and design issues that influence the validity of its conclusions.

LK Design and Conclusions

LK conducted studies to determine the population of motorists who violated traffic laws on the New Jersey Turnpike (NJT) between Exit 7A and Exit 1 during August-September 2005. In the first study, conducted between 8/16 and 8/28, survey vehicles operated at four miles per hour above the speed limit for 25 trips at randomly selected times, locations and directions on the NJT. Observers recorded the race/ethnicity of drivers and also whether the vehicle was a “violator.” A second survey used radar technology to record the speeds of drivers who exceeded the speed limit through 40 trips at randomly selected times and days and in randomly selected portions of the corridor between the two Exits. This study took place between 8/27 and 9/23. To adjust for “speed bias” in the estimates in the radar survey, they weighted the data and re-estimated the proportion of violators (speeders) who are Black. In addition, LK computed a weighted estimate for egregious speeders (those traveling more than 15 miles per hour above the speed limit).

LK summarized the results in Table 2. The weighted and unweighted estimates in the radar survey are quite close, and both of these estimates are close to the estimate in the first survey of 19.0% for Black motorists who are violators. The standard deviations in the weighted estimates are small.

Data on these race-specific estimates of drivers and violators were compared to aggregate data on race-specific stops recorded by New Jersey State Police (NJSP) troopers. The NJSP data do not report the specific locations, dates, or patrol units that conducted the stops. LK report that 30.8% of the motorists stopped by NJSP troopers between January 1, 2000 and April 30, 2005 were Black. This is the index they used to determine the racial proportionality of race-specific stops.

The results suggest that Black drivers are disproportionately stopped on this section of the NJT. LK computed odds ratios to better communicate the extent of the disparity. They report that the odds ratio is 2.08 for all drivers and 1.87 for egregious violators. To summarize, Black drivers are about twice as likely to be stopped for violations as other drivers.

Design and Measurement Issues

There are several limitations in the study that should be kept in mind in evaluation the study's conclusions. Their research question is simple: are Black motorists stopped in roughly equal proportion to their rate of violation of relevant traffic laws? To answer this question two figures must be determined. First, what is the percentage of motorists who are stopped who are Black; and second, what proportion of traffic violators are Black. Our comments therefore focus on LK's efforts to give empirical content to these figures.

Unfortunately, there was much we didn't know about the distribution of the universe of violators who were stopped. The estimates of the number of Black motorists stopped were based on data made available by the NJSP to LK. From these records, aggregate data for stops by race made by NJSP troopers assigned to the Moorestown station were used by LK to estimate this figure. These data were contained in 11 semi-annual reports published by the NJSP as part of the consent decree. None overlapped the period in which LK conducted their surveys of violators. Moreover, the NJSP aggregate reports contained no information about the type of violation (moving versus non-moving, speeding versus other moving violation), the speed of those stopped, whether the stops were made by special patrol units or regular patrols, or the reasons for non-moving violation stops.

We were able to narrow the uncertainty on the time periods by analyzing data on stops made available to the review team by the NJSP. These were stops made by troopers assigned to the Moorestown station. The data included information on whether the stop was made for a moving versus a non-moving violation, and the race of the driver. Regrettably, other information – such as the speed of the driver stopped and markers for non-speeding moving violations – was not included. We narrowed the time frame for the NJSP data by matching it to the time periods of the two LK surveys. The attached table shows that during this time, a total of 3,013 stops were recorded, most for moving violations. About one in three (32.0%) of those stopped were Black motorists – 37.5% of those stopped for non-moving violations and 31.7% of those stopped for moving violations. Accordingly, we can dismiss concerns about whether the time period used by LK was representative of the stop patterns for the period of their surveys.

Still, other questions remain. We don't know the percentage of those stopped by the NJSP who were *egregious* violators, nor those whose violations fell into the range where discretion is broadest – between 5 and 10 miles per hour over the speed limit. LK used the same NJSP numerator to compare all violators and egregious speeders. In their reply to our questions dated February 22, 2007, LK report that the weighted percentage of Blacks who were violators driving 4-10 miles per hour is similar (17.0%) to the percentage who were traveling 11-15 miles per hour above the speed limit (19.2%). The supply of Black motorists at these thresholds is similar to the overall rate of violators, including egregious violators.

This strengthens the LK position – even if all the stops were concentrated in the gray area of 5-15 miles per hour above the speed limit, the percentage of Black violators in that range remains fairly stable and below 20%. What we don't know is the rate of stops of Black versus other drivers who travel over 15 miles per hour above the speed limit. Additional information missing from both the NJSP and the LK data include information about the type (make, model) of car, state of registration, or the number and race of passengers. We also don't have details about time of day or other conditions when stops take place, factors that might affect the ability of LK researchers to classify motorists by race or the preferences of NJSP Troopers to stop a speeding vehicle in the more discretionary range of speeding violations.

Second, there are some limitations to the LK estimates of the number of Black motorists who were speeding, i.e., the supply of violators available for stops. We wonder whether the observation method – the use of a pace car – might introduce a test effect that would retard the speed of some drivers or otherwise influence the flow of traffic. Drivers exceeding the speed of a flow of clustered cars could be selected for stops at one speed threshold, but might be less likely to be stopped if they are embedded in a cluster of similarly speeding cars.

We also don't know the rate at which LK observers could not record the race or ethnicity of the driver due to obstructed views (from other vehicles, tinted windows, or weather conditions), or how they were trained to make decisions under all such conditions of uncertainty. Similarly, LK do not discuss the decision rules that their observers used to record race when the driver may be bi- or multi-racial, or the frequency at which these circumstances arose. [Ideally the observers would see and code "race" the same way troopers do.] Nor do we know how often racial non-identification took place, and how those cases were handled in the data. Finally, there was no effort to validate racial classifications using photographic evidence or multiple raters. Accordingly, there are some doubts about both the estimate of the number of violators of any race, and the reliability of the estimate. Nevertheless, the convergence of the estimates in the two LK surveys does provide some evidence of reliability in the estimates, and at the least, rules out method as a source of error in estimating the race-specific violator pool. The primary question for this study, though, is whether those error rates and selection-omission effects varied by race of the driver. We have no reason to believe that they did.

Conclusions

It is unlikely that the measurement and design limitations of the study undermine the reliability of the LK conclusions. These limitations may influence the effect size – measured either as the racial disparity or the odds ratio – but they are unlikely to reduce the disparity to the point where it is meaningless. Even if LK erred by 33 percent in their estimate of disparity, the odds ratios will still be quite high. We noted that the stop rates for Blacks are slightly higher when we examine NJSP data for stops by race in the identical 2005 time interval, thereby eliminating one source of concern. Also, supplemental information provided by LK show that violation rates for Blacks are stable across different intervals of excess speed, suggesting that the risks of excess stops of Blacks are likely to be observed at any threshold of violation. Accordingly, limitations in the NJSP data on the speed of drivers stopped do not appear to undermine the LK conclusions. Even if the other limitations in design and measurement introduced uncertainty in the estimates computed by LK, a plausible range of estimates of violation rates by Blacks (i.e., a confidence interval) would still suggest that stop rates for Blacks are disproportionate to their violation rates and disproportionate to the rates for drivers of other races.

**Race of Driver Stopped, NJSP Moorestown Station,
August 16 – September 23, 2005, by Type of Violation (N, Percent)**

Race of Driver	Violation		Total
	<i>Non-Moving</i>	<i>Moving</i>	
American Indian	0 (0)	16 (0.6)	16 (0.5)
Asian – Indian	0 (0)	92 (3.2)	92 (3.1)
Black	51 (37.5)	912 (31.7)	963 (32.0)
Hispanic	16 (11.8)	337 (11.7)	353 (11.7)
Other Asian	6 (4.4)	147 (5.1)	153 (5.1)
Other	2 (1.5)	6 (0.2)	8 (.3)
White	61 (44.9)	1367 (47.5)	1428 (47.4)
Total	136	2877	3013

Appendix G

List of Public Comments Received

1. E-mail from Yusef El-Amin (Sept. 9, 2006)
2. Letter from King Ryan Winter (Sept. 18, 2006)
3. E-mail from B. Sashaw (Oct. 13, 2006)
4. E-mail from Joan E. Mackle (Nov. 19, 2006)
5. Letter from George Kelling (Jan. 2, 2007)
6. Letter from Soul of Camden (Jan. 17, 2007)
7. Letter from Cathedral of Immaculate Conception (Jan. 19, 2007)
8. E-mail from Michael Culligan (Mar. 3, 2007)
9. E-mail from Yessenia Montalvo (Apr. 15, 2007)
10. E-mail from Kenneth Friedman (May 18, 2007)
11. E-mail from John Alexander (Aug. 6, 2007)
12. Anonymous e-mail regarding Hudson County Sheriff's Department (Sept. 13, 2007)
13. E-mail Dawn-James Brown Rahn (Sept. 27, 2007)

NEW JERSEY STATE POLICE

CONSENT TO SEARCH

(1) Station/Unit	(2) Code	(3) Area Code, Phone Number and Extension	(4) Prosecutor's Case Number	(5) Division Case Number
				(5a) C.A.D. Number

I, (6) _____, residing at (7) _____
(Name of person consenting to search) (Complete Address)

hereby authorize (8) _____, a member of the New Jersey State
(Name of Division Member & Badge No.)
 Police and any other officer designated to assist, to conduct a complete search of

(9) _____
(Complete Description of Residence, Premises, Vehicle, etc.)

located at (10) _____
(Complete Description of Location and/or Address)

I further authorize the above member of the New Jersey State Police to remove and search any letters, documents, papers, materials, or other property which is considered pertinent to the investigation, provided that I am subsequently given a receipt for anything which is removed.

I have knowingly and voluntarily given my written consent to the search described above.

I have been advised by (11) _____ and fully understand that I have
(Name of Division Member & Badge No.)
 the right to refuse giving my consent to search and may depart if no other reason exists for detaining me.

I have been further advised that I may withdraw my consent at any time for any reason and that I have the right to be present during the search at a location consistent with the safety of the trooper, myself, and other motor vehicle occupants.

Date: (12) _____ Time: (13) _____ (14) _____
(Beginning/Ending/Withdrawn) (Signature of Consentee)

(15) I waive my right to be present during the search Yes No Consent Granted Consent Denied

Witnesses: (16) _____
(Name/Signature) _____ (Name/Signature) _____
 Troopers Present: (17) _____
(Name/Badge #) _____ (Name/Badge #) _____
 _____ (Name/Badge #) _____ (Name/Badge #) _____

(18) ITEMIZED LIST OF ARTICLES TAKEN AS EVIDENCE

Item No.	Include Complete Description, Quantity, Where and By Whom Found

FOR REGISTERING COMPLIMENTS OR COMPLAINTS CALL: 1(877) 253-4125

MAPPSS

Management Awareness and Personnel Performance System

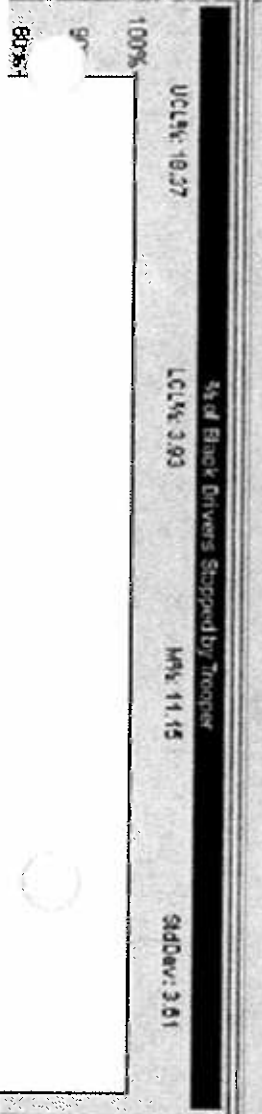
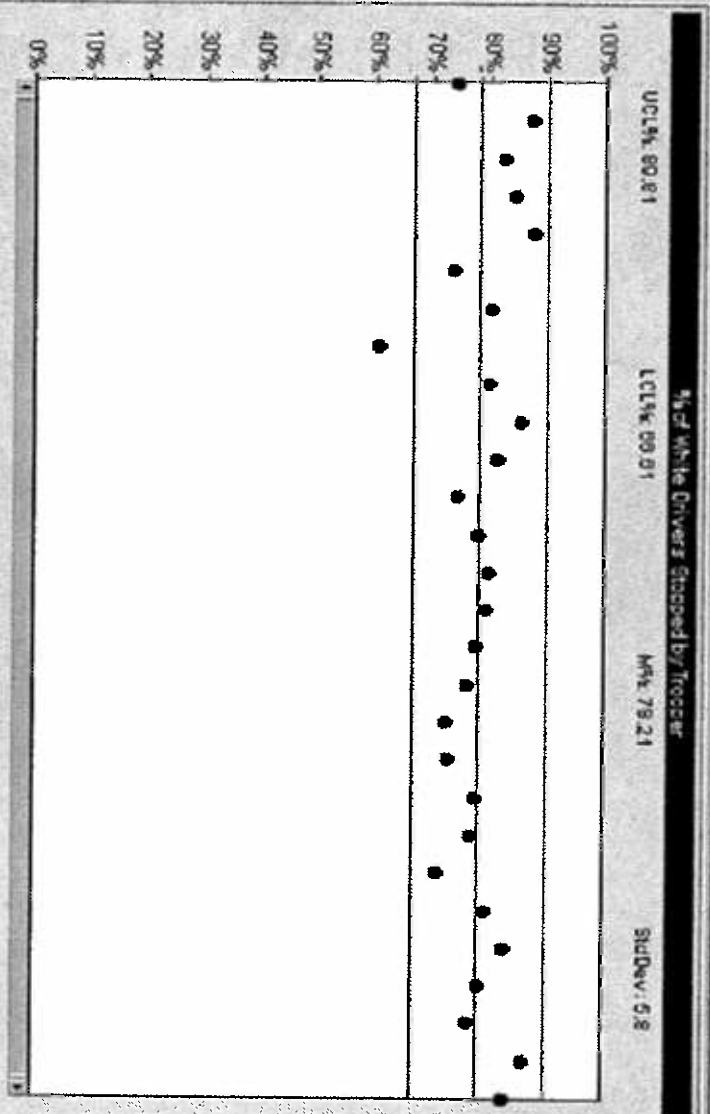
Sgt. First Class - Ipp4337 - 4337

MAPPSS UNIT

MAPPSS Production

[Base](#) | [Home](#) | [Organization / Employees](#) | [MV Stops](#) | [Measurables](#) | [Performance](#) | [Complaints](#) | [Printer Reports](#) | [Equipment](#) | [Training](#) | [MVR](#) | [Interviews](#) | [Feedback](#) | [HELP](#) | [Log Out](#)
 MV Stop Table Demographic Station / Squad Diagram Type Date Range
 Scatter Plot N/A Number of Stops by Race of Driver 01-OCT-04 - 31-DEC-04

Scatter Plot Type: Number of Stops by Race of Driver
Unit or Squad: **Time Period:** 01-OCT-04 - 31-DEC-04
Number of Standard Deviations Set At: 2
Low Volume Threshold: 20



Troopers under the low volume threshold for this timeperiod

Trooper	White Stops	% of All Stops
	17	100
	16	99
	3	76
	1	100
	1	100

Troopers under the low volume threshold for this timeperiod

Trooper	Black Stops	% of All Stops
	4	
	4	

Appendix J

NEW JERSEY STATE POLICE SUBSTANTIATED DISCIPLINARY ALLEGATIONS, 1997–2006¹

Type of Violation	Number of Troopers Disciplined
Racial Profiling	0
Civil Rights/Constitutional Rights Violation	0
Disparate Treatment	0
Illegal Search	0
Intentional Constitutional Violations	0
Racial Harassment (profiling)	0
Racially Motivated Arrest	0
Racially Motivated Stop	0
Racially Motivated Search	0
Improper Search ²	2

¹ Police Responses to Supplemental Questions, at 16.

² One of the two Troopers investigated for an improper search was ultimately suspended for 30 days following a General Disciplinary Hearing; the second Trooper was ultimately terminated. *See id.*

Appendix J

OPS 1997–2006 RACIAL PROFILING/DISPARATE TREATMENT ANALYSIS³

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	<u>TOTAL</u>
Total No. of Racial Profiling/ Disparate Treatment Allegations	23	26	78	99	110	102	114	104	106	55	817
Total No. of Racial Profiling/ Disparate Treatment Cases	16	21	57	80	85	87	89	93	93	45	666
Total No. of Racial Profiling/ Disparate Treatment Allegations Which Had Companion Allegation(s)	22	24	57	81	79	51	67	54	43	29	507
% Racial Profiling/ Disparate Treatment Allegations Which Had Companion Allegation(s)	95.7%	92.3%	73.1%	81.8%	71.8%	50.0%	58.8%	51.9%	40.6%	52.7%	62.1%
No. of Substantiated Companion Allegation(s)	10	5	18	16	11	9	11	10	9	4	103
% of Substantiated Companion Allegation(s)	45.5%	20.8%	31.6%	19.8%	13.9%	17.6%	16.4%	18.5%	20.9%	13.8%	20.3%

³ Dec. 6, 2006 OPS Responses to the Committee’s Supplemental Questions from the Nov. 13, 2006 Hearing, at Ex. 5.

1997-09/30/2006 Racial Profiling / Disparate Treatment Allegations	No. of Troop ers	Total No. of allegations
1 allegation	490	490
2 allegations	102	204
3 allegations	24	72
4 allegations	9	36
5 allegations	3	15
TOTAL:	628	817

Appendix K

October 2003-October 2007 (October Promotions Pending) AVERAGE PER PERIOD

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,639	2,115 80.1%	90 3.4%	423 16.0%	12 0.4%
Eligible for Promotion	1,605	1,324 82.5%	43 2.7%	234 14.6%	4 0.2%
Promoted	149	121 81.1%	5 3.6%	22 15.0%	1 0.4%
% of Eligible Group Promoted	9.3%	9.1%	12.3%	9.5%	14.6%

* * * * *

October 2003 Promotions

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,705	2,195 81.1%	90 3.3%	410 15.2%	10 0.4%
Eligible for Promotion	2,009	1,618 80.5%	56 2.8%	330 16.4%	5 0.2%
Promoted	267	219 82.0%	6 2.2%	41 15.4%	1 0.4%
% of Eligible Group Promoted	13.3%	13.5%	10.7%	12.4%	20.0%

January 2004 Promotions

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,598	2,127 81.9%	89 3.4%	371 14.3%	11 0.4%
Eligible for Promotion	1,859	1,512 81.3%	52 2.8%	290 15.6%	5 0.3%
Promoted	216	178 82.4%	5 2.3%	32 14.8%	1 0.5%
% of Eligible Group Promoted	11.6%	11.8%	9.6%	11.0%	20.0%

May 2004 Promotions

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,598	2,127 81.9%	89 3.4%	371 14.3%	11 0.4%
Eligible for Promotion	1,689	1,450 85.8%	52 3.1%	182 10.8%	5 0.3%
Promoted	54	43 79.6%	3 5.6%	8 14.8%	0 0.0%
% of Eligible Group Promoted	3.2%	3.0%	5.8%	4.4%	0.0%

July 2004 Promotions (Lieutenant to Sergeant Only)

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	1,624	1,323 81.5%	40 2.5%	258 15.9%	3 0.2%
Eligible for Promotion	1,232	999 81.1%	33 2.7%	199 16.2%	1 0.1%
Promoted	89	73 82.0%	2 2.2%	14 15.7%	0 0.0%
% of Eligible Group Promoted	7.2%	7.3%	6.1%	7.0%	0.0%

December 2004 Promotions

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,641	2,129 80.6%	90 3.4%	412 15.6%	10 0.4%
Eligible for Promotion	1,505	1,243 82.6%	42 2.8%	216 14.4%	4 0.3%
Promoted	185	143 77.3%	6 3.2%	36 19.5%	0 0.0%
% of Eligible Group Promoted	12.3%	11.5%	14.3%	16.7%	0.0%

August 2005 Promotions

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,819	2,261 80.2%	97 3.4%	448 15.9%	13 0.5%
Eligible for Promotion	1,509	1,248 82.7%	42 2.8%	216 14.3%	3 0.2%
Promoted	181	136 75.1%	10 5.5%	34 18.8%	1 0.6%
% of Eligible Group Promoted	12.0%	10.9%	23.8%	15.7%	33.3%

October 2005 Promotions

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,875	2,309 80.3%	94 3.3%	459 16.0%	13 0.5%
Eligible for Promotion	1,340	1,122 83.7%	30 2.2%	185 13.8%	3 0.2%
Promoted	87	75 86.2%	4 4.6%	8 9.2%	0 0.0%
% of Eligible Group Promoted	6.5%	6.7%	13.3%	4.3%	0.0%

December 2005 Promotions

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,997	2,405 80.2%	99 3.3%	479 16.0%	14 0.5%
Eligible for Promotion	1,340	1,122 83.7%	30 2.2%	185 13.8%	3 0.2%
Promoted	95	79 83.2%	5 5.3%	11 11.6%	0 0.0%
% of Eligible Group Promoted	7.1%	7.0%	16.7%	5.9%	0.0%

September 2006 Promotions

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,148	1,554 72.3%	99 4.6%	481 22.4%	14 0.7%
Eligible for Promotion	1,981	1,630 82.3%	54 2.7%	293 14.8%	4 0.2%
Promoted	154	124 80.5%	7 4.5%	22 14.3%	1 0.6%
% of Eligible Group Promoted	7.8%	7.6%	13.0%	7.5%	25.0%

April 2007 Promotions

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	3,029	2,441 80.6%	100 3.3%	474 15.6%	14 0.5%
Eligible for Promotion	1,647	1,345 81.7%	46 2.8%	252 15.3%	4 0.2%
Promoted	120	101 84.2%	6 5.0%	13 10.8%	0 0.0%
% of Eligible Group Promoted	7.3%	7.5%	13.0%	5.2%	0.0%

October 2007 Promotions (pending)

	Overall	White Males <i>% of total</i>	White Females <i>% of total</i>	Minority Males <i>% of total</i>	Minority Females <i>% of total</i>
Total Population	2,998	2,397 80.0%	101 3.4%	486 16.2%	14 0.5%
Eligible for Promotion	1,549	1,273 82.2%	41 2.6%	231 14.9%	4 0.3%
Promoted	189	156 82.5%	5 2.6%	26 13.8%	2 1.1%
% of Eligible Group Promoted	12.2%	12.3%	12.2%	11.3%	50.0%

Appendix L

Agency Descriptions

Office of the Attorney General

The Attorney General is appointed by the Governor subject to the approval of the State Senate, and may only be removed for cause. The Attorney General's term runs concurrent with that of the appointing Governor.¹ As chief law enforcement officer in the State, the Attorney General oversees the Division of State Police. Among other things, the responsibilities of the Attorney General include: (1) prosecuting criminal activity and coordinating County Prosecutors; (2) defending the State against lawsuits, including those against the State Police; (3) overseeing the State Police; (4) enforcing State laws; and (5) administering professional licensing boards.

The Attorney General supervises approximately 9,600 people. The office's budget for fiscal year 2007 was \$617.9 million. Approximately half of that amount was allocated to the State Police.²

Department of the Public Advocate

The Department of the Public Advocate was created in 2005. The Public Advocate is appointed by the Governor subject to the approval of the State Senate. The Public Advocate's term runs concurrent with the appointing Governor's term.³

Creation of the Department of the Public Advocate consolidated into one office oversight and ombudsman responsibilities that had previously been assumed by several State agencies. Specifically, the Public Advocate represents citizen and consumer interests in a variety of ways through six divisions: (1) the Division of Citizen Relations; (2) the Division of Public Interest Advocacy; (3) the Division of Mental Health Advocacy; (4) the Division of Developmental Disability Advocacy; (5) the Division of Rate Counsel; and (6) the Division of Elder Advocacy.⁴

To carry out its responsibilities, the Public Advocate has statutory subpoena power and the authority to bring litigation against state and local agencies and private

¹ N.J. Const. art. V, § IV, cl. 2-3.

² *New Jersey State Budget Fiscal Year 2006-2007, Law and Public Safety*, at D-267, available at <http://www.state.nj.us/treasury/omb/publications/07budget/pdf/66.pdf>.

³ N.J.S.A. § 52:27EE-4.

⁴ Department of the Public Advocate, Divisions, <http://www.state.nj.us/publicadvocate/divisions>.

actors.⁵ For fiscal year 2007, the Department has a budget of approximately nineteen million dollars.⁶ The Department currently has a staff of about 150, but the 2007 budget projects an increase to about 220.⁷

Office of the State Comptroller

On March 15, 2007, Governor Corzine signed legislation creating the office of the State Comptroller.⁸ The Governor appoints the Comptroller for a term of six years with a two-term limit on service. During the term of office, the Comptroller will report directly to the Governor and may be removed by the Governor only for cause. The Comptroller has been given an initial budget of nine million dollars.

The office of the Comptroller will be responsible for conducting routine, periodic and random audits of the executive branch of State government and assessing the performance and management of government programs. The Comptroller audits and monitors the process of soliciting and awarding government contracts and provides technical assistance and training to units in the executive branch of State government on financial best practices.

To meet these responsibilities, the State Comptroller is authorized:

- Within the limits of funds appropriated for such purposes, to obtain the services of certified public accountants, qualified management consultants, and other professionals necessary to independently perform the duties and functions of the office;
- To call upon any department, office, division, agency or independent authority of State government to provide such information, resources, or other assistance deemed necessary to discharge the duties and functions and to fulfill the responsibilities of the State Comptroller;
- To establish a full-time program of audit and performance review designed to increase accountability, integrity, and oversight of the

⁵ N.J.S.A. § 52:27EE-5(e) & (f); *see also* Department of the Public Advocate, FAQs, <http://www.state.nj.us/publicadvocate/faqs/#6>.

⁶ *New Jersey State Budget Fiscal Year 2006-2007, Public Advocate*, at D-323, available at <http://www.state.nj.us/treasury/omb/publications/07budget/pdf/70.pdf>.

⁷ *Id.* at D-326.

⁸ The act went into effect on September 1, 2007.

executive branch of State government, including all entities exercising executive branch authority;

- To conduct audits and reviews and propose and enforce remediation plans for the executive branch of State government;
- To refer findings on conduct that may constitute criminal conduct or require civil or administrative action to the Attorney General, Inspector General,⁹ or other appropriate authorities for investigation; and
- To have complete access to all government records of public agencies, including all information listed as confidential and specifically excluded as a government record.¹⁰

⁹ The New Jersey office of the Inspector General was created in 2004 to investigate “alleged fraud, waste, abuse, or mismanagement of State funds” to improve the accountability of state actors, the integrity of state contracts, and the performance of state agencies. N.J.S.A. § 52:15B-7. The Inspector General’s office is now located within the office of the State Comptroller. *See id.* § 52:15C-5(b)(2).

¹⁰ *Id.* §§ 52:15C-5 to 15C-8, 15C-12 & 15C-14.