



CONFIDENTIAL.

Background

Material not related to the issue of racial profiling
has been redacted from the document.

KENYON HORG ASSOC.

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Background

Pagano has made it clear in at least one major case involving the conviction of a trooper for killing a motorist that he is unwilling to accept the findings of a federal petit jury, even though the verdict was affirmed by the United States Court of Appeals. This attitude of disdain for the criminal justice system is fundamentally contrary to the duty of a police official and sends a dangerous message to the members of his organization that they are somehow above the law. Pagano and his staff have continued to encourage financial and other support for the convicted defendant in this case and, despite the fact that he is serving a lengthy prison sentence, he has never been removed from the roster of the State Police. In addition, six unindicted co-conspirators identified by the U. S. Department of Justice in this case have never been subjected to internal discipline despite repeated requests by the Attorney General of New Jersey and the Department of Justice.

This situation has contributed to a strongly held belief by many responsible observers that abuse of the rights of citizens if committed in furtherance of State Police objectives, such as searching for drugs on the New Jersey Turnpike, will be tolerated by State Police management. Concern for this problem has reached the stage where the public advocate has consolidated 110 motions to suppress State Police searches on the basis that they represent a pattern of racial bias by the state Police.

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