

# The Star-Ledger

## **Beef up N.J. laws for civilian oversight of police, mayors say after court limits Newark's powers**

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New Jersey mayors gathered Tuesday to rally support for expanding civilian oversight of police departments statewide, a week after the Supreme Court limited Newark's ability to investigate local cops.

The leaders of Newark and Jersey City, the state's largest cities, and the mayor of Orange Township pushed lawmakers to pass a bill allowing every municipality to have a civilian complaint review board with broad investigatory powers.

Drawing a straight line from Newark's seminal 1967 protest to the Black man shot repeatedly by Wisconsin officers Sunday, Newark Mayor Ras Baraka said only outside investigators could keep both residents and officers safe and restore trust in a discipline process largely closed to public scrutiny.

"This has never been about 'Blue' and 'Black,' it's always been about 'right' and 'wrong,'" Baraka said while flanked by dozens of supporters on the steps of city hall. Recent protests against police brutality led mayors around the state to call him about establishing their own boards, he said, and he stressed that Newark's board is still active and receiving complaints.

Officials said they were working with state Assemblywoman Angela McKnight, D-Hudson, and others in Trenton to introduce legislation that would allow every New Jersey city and county to create civilian boards that could issue subpoenas and launch investigations at the same time police departments were investigating their own.

The state's top court ruled both powers were illegal under current law.

McKnight did introduce a bill (A4272) in June to expand civilian oversight, but it did not include subpoena power.

"If you take an objective look at the policing laws and rules here in New Jersey, you would come to the conclusion it is fundamentally broken," Jersey City Mayor Steven Fulop said to a small crowd of reporters and onlookers.

The police promotion process was too inflexible, he said, and he lamented that complaints against officers were generally shielded from public view. Cops had more authority than most people, he said, and therefore should come under more oversight. He called on Gov. Phil Murphy and state Attorney General Gurbir Grewal to support powerful civilian review boards.

Murphy spokesman Jerrel Harvey said the governor was willing to work with the Legislature to create “independent” civilian boards that “reflect the desires and needs of the communities they serve.”

When asked in June if he supported civilian boards in every town, Murphy said, “I don’t know about every town, but I think the Civilian Review Board has been a big success, personal opinion, in Newark.”

A Grewal spokesman said the attorney general’s office was working with local officials to “allow cities like Newark a larger role in oversight of their police department,” and he pointed to testimony Grewal gave last month supporting making disciplinary records public.

“That effort will continue, and nothing about last week’s Supreme Court decision alters the Attorney General’s commitment to building trust with the public or promoting transparency, accountability, and professionalism in law enforcement,” Peter Aseltine wrote in an email.

Civilian investigations have been supported by activists like Larry Hamm for decades, and Hamm, who leads the advocacy group People’s Organization for Progress, said Tuesday that police unions had too much influence over lawmakers.

“The police cannot be a power unto themselves,” he said.

Newark Fraternal Order of Police Lodge No. 12 had sued the city when it originally gave its civilian board subpoena power.

“It’s hard to believe that the city of Newark has lost two court battles over the legality of subpoena powers ... and now simply say they want politicians to change the laws in Trenton so they can get their way,” union president James Stewart Jr. wrote in a text message. “It’s no wonder there is such disdain for those in politics when this type of action goes on.”

Baraka appealed directly to current cops, some of whom stood in the crowd.

A civilian board would protect good officers, he said, by ensuring those who abused their power were held accountable. While Newark police had improved, he said, “that does not mean that there are not officers in our department who ... arbitrarily take the law into their own hands.”

A lawyer for the city, Kenyatta Stewart, said they were exploring ways to appeal the New Jersey Supreme Court decision to a federal court.