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More must be done to curtail racial profiling during police stops, clergy members tell N.J.'s top court

By Blake Nelson

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Dozens of New Jersey clergy are asking the state's top court to more explicitly ban racial profiling during police stops, arguing that Black residents disproportionately endure scrutiny that causes "tremendous damage" to "entire communities."

The Supreme Court should block officers from detaining people who only match the race and gender of a suspect, 66 ministers, rabbis and one imam wrote Monday to the seven justices.

A "description containing only race, gender, or other extremely common features, without more, cannot contribute to a finding of reasonable, articulable suspicion," the brief said.

Religious leaders have long been vocal about the dangers of racial profiling, including when similar accusations against the State Police led to a federal takeover decades ago, and as new state data shows officers disproportionately using physical force on Black residents in recent years and months.

Monday's brief is part of ongoing court cases stemming from the 2011 arrests of two men, Jamar Myers and Peter Nyema.

After a Hamilton officer heard that "two black males" had robbed a 7-11, he happened to see Myers, Nyema and another man in a car, according to court records. He shone a light inside. The cop thought it was odd that the men didn't react, so he stopped them.

His hunch was correct.

"The elephant in the room, is, of course, that here, the officers got it right," the clergy wrote. "Myers and Nyema are not blameless victims, but participants in the robbery."

The two men later pleaded guilty, records show. Myers is currently in East Jersey State Prison for murder and robbery, according to prison records. Nyema was released late last year after spending years behind bars for robbery.

But just because the officer's suspicion panned out didn't mean it was "reasonable," women and men from across the state said in the brief.

"All of us have provided pastoral services to members of our community who have been stopped by police because they are Black," religious leaders said. "We have seen

firsthand the trauma that our parishioners have suffered as a result of these stops, even when they only last for a few minutes and do not result in arrests.”

The issue was bigger than the 2011 case, the brief said. Prohibiting officers from relying only on race and gender when detaining somebody is just good policing, they argued.

“If a description is so vague it automatically includes thousands of people or if a person is far enough away, in time or distance, from a crime scene that dozens, or hundreds, of people may be included within the parameters of the search, insufficient information exists to justify it,” clergy wrote.

Hamilton police did not immediately return a request for comment.

The brief was filed as part of Myers’ and Nyema’s appeals challenging the stop that led to their arrests. The top court has not yet heard their cases.

The clergy are represented by the American Civil Liberties Union of New Jersey.

Most are from churches, including Pulitzer Prize-winner Chris Hedges and Rev. Charles Boyer, a pastor and civil rights leader who helped lead statewide hearings about how police use force.

Two rabbis joined — Rabbi Joel Abraham, of Temple Sholom in Scotch Plains, and Rabbi Vaisberg, of Temple B’nai Abraham in Livingston — as well as Imam Mohammad Ali Chaudry, president of the Islamic Society of Basking Ridge.