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AMERICAN CIVIL LIBERTIES UNION
of NEW JERSEY

September 9, 2010

Thomas E. Perez, Esq.
Assistant Attorney General for Civil Rights
950 Pennsylvania Avenue, NW
Office of the Assistant Attorney General, Main
Washington, D.C. 20530

COPY

**Re: Request for Federal Intervention regarding the
Newark, New Jersey Police Department**

Dear Assistant Attorney General Perez:

Since the 1994 passage of 42 U.S.C. § 14141, the Civil Rights Division has exercised unparalleled leadership in reforming police departments around the United States. Through at least 21 investigations, including one involving the New Jersey State Police, it has demonstrated the capacity to develop in troubled police departments a core set of reforms, including policy changes, training improvements, better community relations and, most importantly, an independent police monitor to oversee these reforms.

On behalf of the people who live in, work in, and visit the City of Newark, New Jersey, we implore the Civil Rights Division to investigate the Newark Police Department. The formal Petition seeking the Division's assistance, which is enclosed, lays out a disturbing pattern of excessive force, false arrests, and other forms of misconduct. Recent NPD misconduct has left citizens dead, permanently injured, and otherwise damaged. It has left employees' careers in shambles due to discrimination and retaliation, and stressed by abusive working conditions when they are sent out to patrol the streets. And it has left innocent Newark residents distrustful of the police, unsure whether an encounter with them will lead to them being "protect[ed] and serve[d]" or beaten and arrested.

The enclosed Petition by the American Civil Liberties Union of New Jersey lays out this pattern of recent misconduct in Newark. Since January 1, 2008, the municipality has: (a) paid out over \$4 million in at least 38 litigation settlements and other resolutions of lawsuits for police misconduct; and (b) been sued at least 51 times over deaths, false arrests, excessive force, internal affairs improprieties, employment discrimination, and similar matters. When these figures are added to other data laid out the Petition, the record shows **over 400 claims of police misconduct during our 2 ½ year study**. This is nothing short of a pervasive "pattern or practice of conduct by law enforcement officers... that deprives persons of rights, privileges or immunities secured or protected by the Constitution or laws of the United States," which is unlawful under 42 U.S.C. § 14141.


As laid out in the Petition, there have been calls for federal assistance and an independent monitor in Newark going back decades. The City has always typically rejected these entreaties, arguing it could reform itself without outside help. But these efforts have fallen flat, such that the City remains ravaged by homicidal violence (its murder rate was 6.9 times the state average in 2009), while its police force regularly violates the federally-protected legal and constitutional rights of individuals.

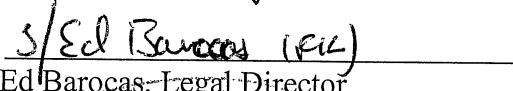
We respectfully request that you quickly review these materials and then meet with our representatives at a mutually convenient time to discuss them in further depth.


The citizens of Newark are turning to the Department of Justice in a last resort to obtain the relief that they have heretofore been unable to obtain locally. We trust that under your leadership, the Government will be able to provide this assistance at long last.

Respectfully submitted,

AMERICAN CIVIL LIBERTIES UNION
OF NEW JERSEY

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By: 
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By: 
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