WHEREAS, on December 30, 1999, the State of New Jersey and the United States Department of Justice entered into a consent decree concerning the practice of racial profiling by the New Jersey State Police. The consent decree embraced many of the recommendations previously made by the State Police Review Team, which had found that the problem of racial profiling on portions of the New Jersey Turnpike was real, not imagined; and

WHEREAS, compliance with the consent decree has been overseen by a team of independent monitors who were appointed by and who answer directly to the United States District Court for the District of New Jersey; and

WHEREAS, on June 27, 2006, the independent federal monitors issued a report to the United States District Court, finding that the New Jersey State Police have achieved 100% compliance with all of the requirements in the consent decree and have gone beyond the requirements of the consent decree. The federal monitors concluded that there has been no indication of racial profiling in State Police traffic stops, and the monitors lauded the progress that has been made in implementing systemic reforms, crediting the State Police supervisory and management review process; and

WHEREAS, in July 2005, based on the documented success of the New Jersey State Police in addressing the racial profiling issue, and with the intention of having State Police policies and procedures serve as a model for all law enforcement agencies, the Attorney General issued a law enforcement directive defining and prohibiting the practice of racially influenced policing, and directing that this nondiscrimination policy apply to all law enforcement agencies and departments throughout the State of New Jersey; and

WHEREAS, the independent monitors have determined that the State Police have been in compliance with the requirements of the consent decree for more than the two years necessary to authorize the termination of the consent decree, and the United States Department of Justice has sought the State’s concurrence in filing a joint motion to terminate the consent decree in recognition of the commitment and achievement of the men and women of the New Jersey State Police; and

WHEREAS, it is appropriate to take actions to ensure that the commitment by the State Police to nondiscriminatory policing that has been recognized by the independent monitors and the Civil Rights Division of the United States Department of Justice is permanently institutionalized and continues as part of the agency’s culture of professionalism and public service; and

WHEREAS, in evaluating whether to terminate the consent decree, it is appropriate to solicit input from New Jersey citizens, and especially representatives from the minority communities most directly affected by the practice of racial profiling, to ensure public confidence that racial profiling will not be practiced or tolerated in the future;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority
vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established an Advisory Committee on Police Standards.
2. The Advisory Committee shall recommend to the Governor whether and under what circumstances the State of New Jersey should join with the United States Department of Justice in filing a motion to the United States District Court to terminate the consent decree.
3. The Advisory Committee shall make recommendations on how to ensure that the practice of racial profiling is not engaged in or tolerated in the future in the event that the consent decree is terminated by the United States District Court. The Advisory Committee shall consider, for example, whether it would be appropriate to retain outside auditors or consultants to continue to independently examine State Police data and mobile video recordings of motor vehicle stops, employing a review methodology similar to the one presently used by the independent federal monitors who have acted under the auspices of the United States District Court.
4. The Advisory Committee shall provide recommendations to the Attorney General and the Governor on how the programs developed by the New Jersey State Police can assist other law enforcement agencies throughout the State in preventing all forms of racial profiling.
5. The Advisory Committee shall conduct one or more public hearings in order to provide an opportunity for the federal monitors, representatives of the New Jersey State Police, New Jersey citizens and others to provide relevant testimony. The Advisory Committee shall also provide the means for citizens and others to submit comments by mail and by the internet.
6. The Advisory Committee shall be comprised of twenty-one (21) members who will be appointed by and serve at the pleasure of the Governor. Membership of the Committee shall include the Attorney General. The remaining members shall be appointed by the Governor based on their experience and expertise in matters concerning law, criminal justice, and the principles of equal protection and non-discrimination in the enforcement of the laws.
7. The Governor shall appoint the Chair of the Advisory Committee. Vacancies on the Advisory Committee shall be filled in the same manner as the original appointment.
8. The Advisory Committee shall organize and meet as soon as possible after the appointment of its members. The Advisory Committee shall complete its work and issue a final report by December 31, 2006. Any reports of the Advisory Committee shall be provided to the Legislature and shall be made available to the public.
9. The Advisory Committee is authorized to call upon any department, office, division or agency of this State to supply it with data and any other information, personnel or other assistance available to such agency as the Advisory Committee deems necessary to discharge its duties under this Order. Each department, office, division or agency of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the Advisory Committee and to furnish the Advisory Committee with such assistance on as timely a basis as is necessary to accomplish the purposes of this Order. The Advisory Committee may consult with experts or other knowledgeable individuals in the public or private sector on any aspect of its mission.
10. Pending receipt by the Governor of the final report required to be submitted by the Advisory Committee pursuant to section 8 of this Order, the State of New Jersey shall not join in a motion to terminate the consent decree between the United States of America and the State of New Jersey regarding the New Jersey State Police.
11. Unless otherwise directed by Order of the Governor, the New Jersey State Police shall continue to collect data and operate the Management Awareness Personnel Performance System as it presently exists, and no changes shall be made to data collection procedures or to the Management Awareness
Personnel Performance System except as may be expressly authorized by the Governor based upon the recommendations of the Attorney General. In addition, unless otherwise directed by Order of the Governor, the Office of State Police Affairs in the Office of the Attorney General shall remain in operation and shall monitor all matters relating to the policies and procedures presently set forth in the consent decree.

12. This Order shall take effect immediately.

GIVEN, under my hand and seal this 23rd day of August, Two Thousand and Six, and of the Independence of the United States, the Two Hundred and Thirty-first.

/s/ Jon S. Corzine

Governor

[seal]

Attest:

/s/ Stuart Rabner

Chief Counsel to the Governor