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Justice Department Reaches Agreement with City of Newark, New Jersey, to Reform Police Department's Unconstitutional Practices

The Justice Department announced today it has reached a comprehensive settlement with the city of Newark, New Jersey, that will bring wide-ranging reforms and changes to the Newark Police Department (NPD). The agreement, which is subject to court approval, resolves the department's findings that NPD has engaged in a pattern or practice of unconstitutional stops, searches, arrests, use of excessive force and theft by officers in violation of the First, Fourth and 14th Amendments.

The proposed consent decree also resolves the department's findings that NPD's law enforcement practices had a disparate impact on minorities in Newark.

The Justice Department's findings were announced in July 2014 following a comprehensive investigation into the NPD started in May 2011. The investigation also found that this pattern of constitutional violations has eroded public confidence in the police. As a result, public safety suffers and the job of delivering police services was more difficult and more dangerous.

"This agreement holds the potential to make Newark a national model for constitutional, effective and accountable community policing in the 21st century," said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Justice Department's Civil Rights Division. "The Department of Justice looks forward to working closely with the city as we implement this agreement and begin to change policies, improve systems and rebuild trust between Newark police officers and the residents they serve."

"The men and women who wear the uniform of the Newark Police Department bring enormous dedication, integrity and pride to their jobs every day," said U.S. Attorney Paul Fishman of the District of New Jersey. "At the same time, the department is challenged in fundamental ways and has engaged in a pattern and practice of unconstitutional policing in a broad range of areas. And it is also clear that the Police Department's relationship with the people of the city has suffered dramatically from the combination of those practices. Community trust has deteriorated, and that in turn has compromised the effectiveness of the Department. Today we are taking a major step toward breaking that cycle."

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Under the consent decree, the city of Newark and NPD will implement comprehensive reforms in 12 substantive areas. The agreement ensures that:

- NPD will improve officer training to ensure that officers develop the necessary technical and practical skills required to carry out NPD directives consistently.
- NPD will revise search and seizure policies, training and supervision to ensure that all stops, searches and arrests are conducted in accordance with the Constitution and in a manner that takes into account community priorities.
- NPD will integrate bias-free policing principles into all levels of the organization, including comprehensive training of officers and supervisors.
- NPD will reform use of force policies, including requirements for using de-escalation techniques whenever possible and appropriate, prohibiting retaliatory force and ensuring mandatory reporting and investigation standards following use of force.
- NPD will deploy in-car and body-worn cameras to promote accountability, instill community confidence and improve law enforcement records.
- NPD will implement measures to prevent theft of property by officers, including robust reporting and complete accounting of property or evidenced seized.
- Office of Professional Standards investigators will be appropriately qualified and trained. Investigations of civilian complaints will be conducted in an objective, thorough and timely manner.
- Newark will create a civilian oversight entity to give voice to and pursue concerns of its residents.
- NPD will develop protocols for conducting compliance reviews and integrity audits.
- NPD will implement steps to ensure that the disciplinary process is fair and consistent.
- NPD will improve records management and early intervention systems and collect data on all uses of force and investigatory stops, searches and arrests, and develop a protocol for the comprehensive analysis of the data. The information will be publicly reported.
- NPD will strengthen its public information programs to ensure that members of the public are informed of NPD's progress toward reform.

Newark and the Department of Justice have jointly proposed Peter Harvey to lead the team of experts that will monitor the city's compliance with the agreement. Harvey is a former New Jersey Attorney General, and has experience under a Justice Department consent decree in the New Jersey State Police Case. He brings a deep understanding of issues specific to New Jersey and Newark and has direct experience overseeing organizational change and law enforcement reforms. Harvey will propose a team of local and nationally-recognized experts who are all committed to ensuring effective and constitutional policing, subject to the approval of the city and the Justice Department.

The investigation was conducted jointly by the Civil Rights Division's Special Litigation Section and the U.S. Attorney's Office of the District of New Jersey. For more information on the Civil Rights Division, please visit www.justice.gov/crt. For more information about the U.S. Attorney's Office of the District of New Jersey, please visit <http://www.justice.gov/usao/nj>.

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