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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

MEMORANDUM

CONFIDENTIAL

TO: Director Paul H. Zoubek

FROM: Deputy Director Debra L. Stone

DATE: March 5, 1999

SUBJECT: INTERVIEW WITH STATE POLICE

A number of very troubling things emerged as a result of my interview with a trooper last evening. I list them in no particular order:

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3. Racial profiling exists as part of the culture. There is no written policy on it, but you are taught that if you see "Johnnies" in a "good" car, they "don't belong" and should be stopped and investigated. This also applies to minorities in old cars. The assumption is made that minorities are drug dealers, and cops are encouraged to stop them and toss their cars.

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This is particularly true of those "Diggers" (suppressive troopers) who "ride the black dragon" (the turnpike). Diggers are rewarded for violating constitutional rights because the more arrests they get and the more drugs they find, the more likely they will get put in IAB or EEO which are plum assignments.

Coaches, that is more experienced troopers, ride with those fresh from the academy indoctrinating them in the ways of State Police. Coaches are often "punished" by putting them with women or minority troopers, particularly if it is known they do not like women or minorities. Despite SOPs and case law, minorities are routinely ordered out of vehicle, hands on roof, and cars searched, without consent or probable cause.

Until the Soto decision, the practice of putting a troop car on the side of the road or in the median and "spotlighting" vehicles was expressly allowed. A written directive purporting to stop the practice was issued by former Colonel Williams following the Soto decision, which the troopers read as saying that although we are not allowing it anymore, these are legitimate reasons for doing this. No one has been punished for "spotlighting" cars and the practice continues.

There has never been an effort by the State Police to define "profiling." Troopers believe that race may be considered as a factor in a stop as long as it is not the only factor.

4. The hazing atmosphere is pervasive and contributes to the failure to call in stops and to play fast and loose with evidence. Troopers will not call in stops because if they find nothing, they are taunted and humiliated by their peers and superiors. In at least one incident troopers changed a breathalyser recording from .04 to .08 because they were afraid they would be taunted for not being able to recognize whether someone was drunk.
5. Failure of supervision is endemic to the organization. No one can ask questions, therefore there is no real communication. When arrests occur on the turnpike, those reports are reviewed by detectives, **not** the squad supervisor. Unconstitutional searches could easily be picked up if the supervisors read the reports; the detectives simply ignore the unconstitutional searches. The bottom line is to make arrests and get drugs regardless of how that is accomplished.

6. There is no SOP for a "criminal program" and yet troopers are evaluated on the basis of arrests made. Again, it is cultural expectations and the reward and punishment system which pushes troopers to ignore the rights of citizens.

9. Changes in the aggressive nature of turnpike arrests and stops are not solely attributable to the "war on drugs." Paid overtime for troopers also kicked in in 1988. This rewarded troopers for more time on the job. Arrests take time; therefore, arrests meant more money in overtime. Combined with the fact that "Diggers" were rewarded with plum assignments and Trooper of the Year designation and you have a recipe for disaster.

Perhaps nothing is so telling as to the attitudes of State Police as a glance at the 75th Anniversary Book which proudly displays a picture of Harry Messerilian, who was convicted of beating a minority motorist with a flashlight and sentenced to 10 years in federal prison, while the first female trooper, who sued them, is nowhere to be seen.

The pervasive racism and sexism starts at the top and runs through the entire hierarchy. None of those in the rank of major or above are believed by minorities or females to be capable of implementing change, and very few of the captains are viewed as having the backbone to buck the system.

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Attachments