

“Social justice should be the underlying goal of all humanity.”

-Alan V. Lowenstein, Institute Founder



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**do social justice.**

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The Honorable Shavonda Sumter  
Chair, Assembly Community Development and Affairs Committee  
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**TESTIMONY FROM THE NEW JERSEY INSTITUTE FOR SOCIAL JUSTICE  
IN SUPPORT OF ASSEMBLY BILL 4656**

Good morning, Chairperson Sumter, Vice Chair Timberlake and members of the Assembly Community Development and Affairs Committee.

Thank you for the opportunity to provide testimony in support of Assembly Bill 4656, which will allow New Jersey communities to create strong Civilian Complaint Review Boards.

My name is Brooke Lewis, and I am Associate Counsel at the New Jersey Institute for Social Justice. Established in 1999 by Alan V. and Amy Lowenstein, the Institute's cutting-edge racial and social justice advocacy seeks to empower people of color by building reparative systems that create wealth, transform justice and harness democratic power—from the ground up—in New Jersey.

The undeniable truth—that Black lives matter—is being tested everywhere, particularly in the context of law enforcement killings of Black people in states across the country, including right here in New Jersey.

The time for deep structural change is now.

Since 2016, the Institute has served on the Independent Monitoring Team overseeing reforms to the Newark Police Division as part of a federal consent decree, where, through community surveys, public meetings and ongoing community feedback, we ensure the community's voice is at the center of the reform process. I speak to you today, however, only on behalf of the Institute.

The Newark consent decree resulted from a federal investigation that found the Newark Police engaged in a pattern of unconstitutional policing practices

that disproportionately harmed Black residents.<sup>1</sup> Through a series of much-needed reforms, the consent decree seeks to repair the relationship between police and the Newark community.

When it came time to address the consent decree's requirement that Newark create a civilian oversight entity,<sup>2</sup> Newark did more than “check the box.” Through Municipal Ordinance 6PSF-B, Newark created a Civilian Complaint Review Board (CCRB) with strong investigatory powers, including the power to subpoena key information and the ability to conduct a concurrent investigation alongside the Newark Police's Internal Affairs unit.<sup>3</sup>

For the people of Newark, these powers were hard-won, coming 50 years after the Newark Rebellion, which began in response to racialized police brutality. This unrest left 26 people dead, over 700 people injured and \$10 million in damages.

Yet, the people of Newark don't have these powers today.

It didn't matter that a federal investigation found that Newark residents went years living under unconstitutional and racially discriminatory policing practices. It didn't matter that a federal consent decree, entered as a court order, substantiated the need for civilian oversight. And, it didn't matter that the citizens of Newark thoughtfully and democratically gave their CCRB the powers they felt were necessary to hold law enforcement accountable in their community.

Instead, what mattered was that the Fraternal Order of Police thought Newark's CCRB had too much power. Through a series of legal challenges, the Fraternal Order of Police sought to strip Newark's CCRB of its investigatory powers, and after going all the way to our state's highest court, they have seemingly won.

But, the New Jersey Supreme Court made it clear: The legislature can change this.

By passing A4656, this legislature can restore the ability for Newark, and communities across the state, to decide for themselves if a CCRB is necessary, and if so, what powers it should have.

As our nation sits at a watershed moment in police reform, it is clear police must actively build trust with communities, particularly Black and other communities of color.

But, trust must be earned. Empowering New Jersey communities with the ability to create strong CCRBs can be a step forward in law enforcement's work in building trust with the communities they serve.

I urge this legislature to pass A4656 and restore some power back where it belongs—with the people.

Thank you.

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<sup>1</sup> U.S. ATT'Y'S OFF., DIST. OF N.J., U.S. DEP'T OF JUST., CIV. RIGHTS DIV., INVESTIGATION OF THE NEWARK POLICE DIVISION (JULY 22, 2014), [https://www.justice.gov/sites/default/files/crt/legacy/2014/07/22/newark\\_findings\\_7-22-14.pdf](https://www.justice.gov/sites/default/files/crt/legacy/2014/07/22/newark_findings_7-22-14.pdf).

<sup>2</sup> CITY OF NEWARK CONSENT DECREE ¶ 13, <https://www.justice.gov/opa/file/836901/download>.

<sup>3</sup> Newark, N.J., Ord. 6PSF-B (Mar. 16, 2016), <https://ecode360.com/36621422>.