



Statement of Dennis J. Hallion, President of the New Jersey State  
Troopers  
Non Commissioned Officers Association, before the Governor's Advisory  
Committee on Police Standards  
October 24, 2006

Ladies and gentlemen, I am honored to speak to you on behalf of the more than 900 sergeants that make up the Non Commissioned Officers Association. I am also grateful to this Committee for the opportunity to speak for several minutes on the impact of the Consent Decree from an Association perspective. I have been President since August 2001, and have witnessed substantial and significant change while acting in the role of President. I am a member of the Advisory Council for the New York and New Jersey Asian American Law Enforcement Advisory Committee and also a member of the Executive Board of the National Troopers Coalition.

We are fast approaching the finish line of this decree and after having spent years training for this marathon and having run the race of our lives, we approach the finish line ahead of all others. With the end in sight, someone has moved that finish line back several miles.

In December of 1999, the Department of Law and Public Safety embarked upon a long term project that would change the face of the Division of State Police and local Police Departments throughout New Jersey. During the years under the decree, the Sergeants and Troopers have worked under four Governors, five Superintendents, and six Attorneys General. We have worked through a myriad of administrative overseers - from the numerous federal offices that are part of the monitorship to the offices within the State of New Jersey - the Office of Professional Standards, the Office of State Police Affairs, the Equal Employment Office, the Office of Governmental Integrity and of course, the Office of the Attorney General. The troopers have remained tall in the saddle conforming and complying with all the terms of the Consent Decree.

Through the numerous high risk missions, such as what we endured during the World Trade Center disaster and the duty now to confront a new enemy; in what the Division of State Police faced with the several years of unfortunate flooding and statewide power outages; with having worked through the Republican National Convention; with the fact that more often than not, we have been on an Orange alert status keeping us ever vigilant; the Hurricane Katrina detail that saw many of New Jersey's finest deployed to a state unknown to them, but knowing that this was their obligation - we were still able to maintain compliance with the Decree.

Even with the deployment of our resources into Camden and Irvington, and the fact that we face minority encounters everyday, we still have maintained a community-embraced presence that has aided in reduced crime rates throughout both cities. We have witnessed our troopers go into the cities with brooms and trash cans and sweep up basketball courts of needles, empty baggies, and shell casings on the court. We have put up new nets, painted lines and played ball with the kids, many of which return day after day to play with the troopers.

What surprises many of us is that we have not addressed during testimony how we got to this point so quickly? The result of our accomplishments can certainly be attributed to the fact that approximately seventy five percent of our road troopers went through the academy and were instructed under the mandates of the consent decree.

Many on this committee have discussed how we have traveled to this point. I propose that we be more concerned about where we go from here.

When a trooper is worried more about the mechanical aspects of the decree than the motorist that they just stopped, then we suffer. Trooper safety is paramount. God forbid that I have to travel to another home of a trooper to tell the family their loved one may have been too concerned with the little "red light" operating in the grill area of their troop car. Because of that, their loved one did not see the motorist concealing a weapon in the car that was just stopped. Our troopers must get over this

chilling effect. A mere procedural point is not as important as personal safety.

There is a very sensitive balance test that must be performed. We must encourage our troopers that they have passed the test, with outstanding results - that they have graduated from a decree, that was not earlier embraced within the rank and file. The mixed message of many years ago that spoke of zero tolerance, but with a “blinder’s on” approach, should now be a loud and clear statement of enforcing the laws of the State of New Jersey constitutionally and within the confines of the decree.

The evil of narcotics and guns still rages on the streets of New Jersey. We are tired of seeing our inner city youths gunned down over nickel bags of cocaine. We must prevent this scourge from continuing to infect our urban communities. With the lifting of the decree, our troopers will know that we have the confidence in them to continue to carry out the mission of making our streets safe. They will feel that their efforts are more appreciated than not.

I must take this time to thank all the supervisors who have engaged this decree since its implementation and have adopted the concepts as a vision for the future of policing. As was reported by Monitors Ginger and Rivas at the conclusion of the fourteenth monitor’s report - that the State Police had complied with the Decree during this period under the direction of the sergeants at “125%” compliance.

Every Independent Monitor's Report, including the 14th, has shown time and time again that the men and women of the State Police have lived up to their end of the bargain. We have steadily passed with flying colors, all aspects and terms of the decree. We have performed, in the words of the monitors, "astonishing progress" and "outstanding results".

We have accomplished all this with many other aspects of the day to day routine of the supervisor. Think of the two sergeants, the road Sergeant who is on patrol supervising their squad during real time to provide on the spot direction, guidance and mentorship. Also playing an integral role is the Staff Sergeant, who by virtue of their expertise, is reviewing motor vehicle stop reports, performing evaluations, and constantly monitoring their squad's activities. With the aid of MAPPS and the Risk Analysis process, this early warning system has provided insight into not only preventing or correcting inappropriate behavior, but has provided positive interaction with troopers based upon concrete data.

But, there are additional tasks and responsibilities that must be performed. What many would think of as routine, are far from that - with the many other assigned operational and administrative duties. The time allotted that has been dedicated over the years to the decree is considerable. Our troopers have lived it and breathed it. With the thirty Stations situated throughout New Jersey, as well as the Tactical Patrol Units, the Camden and Irvington initiatives, the Meadowlands and the Atlantic City Airport, there are four sergeants working every day - two on each shift covering a twenty four hour day period. Four sergeants working for four

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hours (plus or minus) on Consent Decree related matters, equates to

almost five hundred hours per day being spent on this decree by supervisors of the State Police.

The layers of scrutiny that exist makes it virtually impossible for the road trooper to veer off course as exemplified by the checks and balances that are in place and reviewed at every level. From the Buck Sergeant, to the Staff Sergeant, to the Assistant Station Commander, to the Station Commander, to the Regional Troop Commander, and finally to the Troop Commander - you can see the layers of examination utilized by our supervisors. Supervision is essential, not to say that some other layers could be removed. Some deal with inordinate amounts of paperwork for simple activities, others with creating situations wherein the sergeant must make decisions with no established criteria. Time permitting, we would like to offer specific examples through the Chairman.

With leadership towards the future in mind, we have seriously looked at the current promotional system. We realize that there is some work to do, but we are confident that those people in leadership positions will carry on the mandates of the decree. The value and significance of the hard work that has been performed over the last six years will not be forgotten nor taken for granted.

Within the one fifth minority community now in the organization, we have promoted even more so than expected, giving those who have shown talent and capability the same opportunity to progress in their career. But,

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whatever the race, creed, color, or ethnicity, we must continue to promote

only those qualified to insure buy-in of the system.

We continue to encourage our minority community to enter the application process as is evidenced by our recruiting efforts. We are looking for the best and the brightest from all walks and directions of life.

There must be within the Legislative branch a commitment that will allow us the funding to carry on the logistical end of the decree. This means appropriations to enhance our already state of the art systems of early warning detection. We already are looking to save substantial costs with the departure of the two monitors. This savings could be dedicated to continuing the mechanical end of the process. The redundancy of the Office of State Police Affairs and the elimination of same as it exists today, would also provide additional funding for future sustainability. All of the remaining responsibilities could be assumed by the Office of Professional Standards.

We can also look at the codification of many of the concepts not yet in place under the law. The Associations have sat down with many legislators throughout the last five years in assisting to craft many of the racial profiling laws on the books now. We have also had discussions concerning the laws to be enacted when the decree is lifted. This package could be written and instituted with a implementation date as early as the day of the decree "sign off". Time permitting, we would like to offer specific articles for consideration through the Chairman.

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Many have testified regarding sustainability. With the advent of an auditor,

we accomplish several things.

First and foremost, we have stated to the rank and file who have borne the task of the decree on their backs, that they have completed what was set out before them. It is a fair and righteous reward. We will relinquish the current monitorship as was agreed upon at the signing of the decree.

We will take on an auditorship that will continue to work with a “Board of Directors” to sustain oversight on a periodic basis. As would be in a business-like approach, the Auditor should be independent of the State Police and the Attorney General’s Office. That being said, the auditor should have critical interaction with the Colonel and his staff, the Attorney General, and our legislature, as well as community based groups who would comprise the “Board of Directors” .

We must be careful with the selection of the auditor as was evidenced by the previous administrations and their attempts to secure vendors by a less than credible process. The auditor should be of a public policy group, from a higher education arena, or other reform-based law enforcement group. We would be more than ready to assist in this regard.

With the practices and procedures listed above, it can be assured that the practice of racial profiling is not now engaged in nor will be tolerated in the future even with the dissolution of the consent decree.

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I am sure there are those who will doubt the sincerity of our statements.

Those who profess that we are de-policing or have not taken the consent decree seriously need only look at what we have accomplished during the last six years and see the remarkable statistics of not only lawful arrests, but convictions that were court tested.

We have made this process as transparent as possible, bringing in all our critics and “naysayers”, to have them view the progress time and time again. Within the last two years, following the twelfth and thirteenth Monitors Reports, we held a symposium at Troop C Headquarters to show all interested of our progress and the transparency of our effort. And yet, though we show the increased embracing of the decree, we are still challenged with accusations that “we still need to do more”. We are still concerned with and most leery of those who would testify and parade around with years old anecdotal accounts, none based upon fact, that would only stir up the emotions of the public, who now believe in us and are satisfied with our progress.

We on the other hand, will have the statistics, the reports, and the compiled information - basically, the “data” to relate to the Commission of the six years of compliance of the numerous tasks set forth in this mandate.

Recall our efforts in New Orleans that gained national attention. This was a mission of mercy. Troopers who answered the call of the homeless -

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whether black, white, hispanic, asian - in a community where the needs of

the many outweighed the needs of the few. The overwhelming number of volunteers within the ranks of the State Police is indicative of our resolve to aid our fellow man. Remember, when a company loses hundreds of employees due to unforeseen circumstances, there is a definite impact on productivity. The New Jersey State Police, under less than full staffing, continually performs its new missions while still maintaining its numerous other directives.

Our Association, with both the State Troopers Fraternal Association and the Superior Officers Association, have met with community and faith based group leaders and have sat down with them in an effort to understand the Decree from their perspective. In these meetings, as early as two years ago, the sentiment from councils and churches, was that the numbers of complaints coming in from members regarding disparate treatment had significantly diminished. We are proud to know that the confidence of the community is well on the way of being fully restored.

I have sat down with minority members of my own Association and we have discussed issues of the decree. We have come away with positive thoughts of not looking at this as separate groups but as Troopers. We, the division, after having been admonished in past years, have survived the onslaught of criticism and have emerged an unbiased, homogenous group winning back the public trust.

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We would hope that all law enforcement departments in New Jersey embrace the articles of the decree as seriously and effectively as we did.

I do not accuse any local or county department of disparate treatment. I am associated with a number of departments and I am nothing but impressed by the attitude of law enforcement in this state. Through the Chairman, prior to and upon implementation of the concepts of this decree at those levels, we are ready to assist in this endeavor.

For the above reasons, our recommendation is that we should and will enjoin the United States Department of Justice in filing a motion to terminate the Consent Decree.

In conclusion, I must thank each and every sergeant and trooper who early on had felt oppressed or thwarted by the concepts of the decree, but chose to aggressively enforce the law under its mandates. I must also publicly congratulate the troopers and the sergeants for graduating with honors.

We truly believe that the recommendation out of this Committee will be that the New Jersey State Police has satisfied all the requirements of the Decree, and then some. We are, however, very concerned with any additional overtasking that may be set upon an already accomplished organization.

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This has been a successful undertaking and not a failed experiment, like we have seen in prior administrations. It is one of a few programs that has

been received as a victory. Not only for the New Jersey State Police, but as a model for the entire Nation.

Thank you, Mr. Chairman and the Committee.

