

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

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	:	
UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
v.	:	Civil Action No: 16-1731 (MCA) (MAH)
	:	
CITY OF NEWARK,	:	ORDER AMENDING PARAGRAPHS
	:	14, 17, AND 18 OF THE CONSENT
Defendant.	:	DECREE
	:	
_____	x	

THIS MATTER HAVING BEEN OPENED TO THE COURT pursuant to a status conference held on September 20, 2016; and appearances having been made by the United States of America, the City of Newark (collectively, “the Parties”), and the Independent Monitor; and the Court having conducted a discussion with the Parties and the Independent Monitor regarding the progress being made by the Newark Police Division (“NPD”) with respect to compliance with the terms of the Consent Decree entered by the Court on May 5, 2016 (Doc. 5); and the Court having discussed with both the Parties and the Independent Monitor the NPD’s request for additional time to comply with the requirements of Paragraph 14 of the Consent Decree requiring that the NPD implement community policing and problem-oriented policing training; and the Independent Monitor, pursuant to Paragraph 181 of the Consent Decree, having advised both the Parties and the Court that the NPD has sound reasons for its request for an extension of time, and having recommended that the Consent Decree be modified to allow the NPD the additional time to comply with Paragraph 14; and the Independent Monitor and Parties having conferred after the status conference and having reached consensus that the same reasons

for allowing the NPD additional time to comply with Paragraph 14 also necessitate for allowing the NPD additional time to comply with Paragraphs 17 and 18; and the Parties having consented to the NPD's request for additional time; and based upon the reasons stated on the record at the September 20, 2016 status conference; and good and sufficient cause having been shown;

IT IS ON THIS ^{yh} 9 day of October, 2016

ORDERED that the application by the NPD is GRANTED for the following reasons:

1. In August 2016, the NPD raised concerns about its ability to design and implement a comprehensive community policing training program. Subject Matter Experts who are members of the Independent Monitor's team also have identified the institutional and structural difficulties that the NPD has encountered in designing and implementing an effective community policing training program as contemplated by Paragraph 14 of the Consent Decree. Paragraph 14 requires the NPD to complete training on community policing and problem-oriented policing methods and skills within 60 days of the July 12, 2016 Operational Date;

2. On September 9, 2016, the Independent Monitor sent a letter to both the United States and the City of Newark recommending, pursuant to Paragraph 181 of the Consent Decree, that the Parties agree to the NPD's request and allow additional time for the NPD to comply with Paragraph 14 of the Consent Decree. The Independent Monitor stated that the NPD (a) has little institutional knowledge regarding modern community policing, (b) has no existing infrastructure to provide the required training, and (c) currently is requesting assistance from the United States Department of Justice's Community Oriented Policing Services ("COPS") office to help design an appropriate program tailored to the needs of the Newark community; and

3. In the view of the Independent Monitor, requiring the NPD to comply with Paragraph 14 before it has the ability to do so would result in the NPD offering to its members perfunctory training, and would risk losing the opportunity for the NPD to establish a sound community policing program in the Newark community;

4. Paragraph 17 requires the NPD to implement mechanisms to measure the breadth, extent, and effectiveness of its community partnerships and problem-solving strategies within 90 days of the Operational Date; and Paragraph 18 requires the NPD to prepare a publicly available report of its community policing efforts, including specific problems addressed and steps taken by the NPD and the community toward their resolution, within 120 days of the Operational Date;

5. The Consent Decree established the deadlines in Paragraphs 17 and 18 to occur after the deadline in Paragraph 14;

6. The Independent Monitor and Parties agree that requiring the NPD to comply with Paragraphs 17 and 18 before the NPD completes the training required by Paragraph 14 would risk losing the opportunity for the NPD to establish a sound community policing program in the Newark community; and

7. At the September 20, 2016 status conference and in subsequent conversations, the Parties consented to the Independent Monitor's recommendation, pursuant to Paragraph 181 of the Consent Decree, that the NPD be given additional time to develop and implement a community policing program under Paragraphs 14, 17, and 18; and it is further

ORDERED that Paragraphs 14, 17, and 18 of the Consent Decree (Doc. 5) are hereby amended as follows: Paragraph 14 is amended to extend the time period within which NPD is to complete the training prescribed by Paragraph 14 from within 60 days of the

Operational Date of the Consent Decree, to within 180 days of the Operational Date; Paragraph 17 is amended to extend the time period within which the NPD is to implement mechanisms to periodically measure its community partnerships and problem-solving strategies from within 90 days of the Operational Date, to within 210 days of the Operational Date; and Paragraph 18 is amended to extend the time period within which the NPD is to prepare a publicly available report of its community policing efforts from within 120 days of the Operational Date within 240 days of the Operational Date.



HONORABLE MADELINE COX ARLEO
United States District Court