

Invitation to Submit Proposals to Serve as an Independent Monitor Pursuant to a Consent Decree Between the United States and the State of New Jersey Regarding the New Jersey State Police

OVERVIEW

The United States and the State of New Jersey have entered into a Consent Decree under the supervision of a federal district court to promote vigorous, lawful, and nondiscriminatory traffic enforcement by troopers of the New Jersey State Police. United States v. State of New Jersey, No. 99-5970 (MLC)(D. N.J., Dec. 30, 1999). The Decree and related documents can be found on the Department of Justice website (www.usdoj.gov/crt/split/) and on the New Jersey Department of Law and Public Safety website (www.state.nj.us/lps/).

Prior to the entry of the Consent Decree, the State of New Jersey issued two reports setting forth numerous remedial steps pertaining to management and supervision of the New Jersey State Police. These reports, the Interim Report of the State Police Review Team Regarding Allegations of Racial Profiling, April 20, 1999, and the Final Report of the State Police Review Team, July 2, 1999, may be found on the New Jersey Department of Law and Public Safety website (www.state.nj.us/lps/). Information about the New Jersey State Police may be found on the State Police website (www.njsp.org).

The Consent Decree between the United States and the State of New Jersey addresses the following issues: policy requirements and limitations on the use of race in law enforcement activities and the procedures used for conducting motor vehicle searches; documentation of traffic stops including post-stop procedures and enforcement actions; supervisory measures to promote civil rights integrity; procedures for receiving, investigating, and resolving misconduct allegations; training; responsibilities of the Office of the New Jersey Attorney General concerning the New Jersey State Police; public reporting by the State Police about its law enforcement activities; and the establishment of an Independent Monitor to review and analyze implementation of the Decree by the State.

The purpose of this document is to solicit proposals for the position of Independent Monitor, and to set forth the procedure by which the State and the United States will jointly select the Independent Monitor by March 29, 2000.

FUNCTIONS AND RESPONSIBILITIES OF THE MONITOR

The specific powers and duties of the Independent Monitor are set forth in the Consent Decree in ¶¶94-95, 116-121, and 131. In brief, the duties consist of:

- (1) Reviewing and reporting on compliance with the Consent Decree, including issuing reports describing the State's implementation efforts and evaluating the extent to which the State has complied with the requirements of the Consent Decree. During the first year of the Consent Decree, these reports shall be issued quarterly. Thereafter, the Independent Monitor shall issue monitoring reports at least semiannually or more frequently as he or she deems appropriate (¶121);
- (2) Reviewing and evaluating all training currently provided or sponsored by the State Police regarding motor vehicle stops and enforcement actions and procedures related to motor vehicle stops to determine whether the training effectively instructs troopers on complying with the requirements of the Decree (¶94-95);
- (3) Reviewing and evaluating the quality and timeliness of appropriate samples of misconduct investigations, disciplinary actions, and interventions; data required to be collected under the Consent Decree; and supervisory steps required to be undertaken pursuant to the Consent Decree (¶119); and
- (4) Offering the State technical assistance regarding compliance with the Consent Decree(¶117).

The Independent Monitor shall be an agent of the Court and may testify in this case regarding any matter relating to the implementation, enforcement, or dissolution of this Decree. The Monitor shall not testify in any other litigation and shall not be retained by any current or future litigant or claimant in a claim or suit against the State or its troopers (¶116).

The Independent Monitor should have experience as a law enforcement officer, as a law enforcement practices expert or monitor, or as a federal, state, or county prosecutor or judge.

In the course of his or her duties, the Independent Monitor shall have full and unrestricted access to all State staff, facilities, and non-privileged documents (including databases) necessary to carry out the duties assigned to the Independent Monitor by the Consent Decree(¶118).

CONTRACT PERIOD

The Independent Monitor shall serve until the termination of the Consent Decree. The duration of the Consent Decree is described in ¶131. The parties expect that the Consent Decree will be in effect for at least two years after the State obtains substantial compliance with the terms of the Consent Decree.

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REQUIRED PROPOSAL CONTENT



The United States and the State of New Jersey invite you to submit a proposal for your engagement as Independent Monitor. Your response must, at a minimum, specifically address the issues set forth below:

- **Executive Summary** -- Provide a brief description of the manner in which you would complete the project.
- **Qualifications** -- Describe your qualifications and experience in the following areas:
 - law enforcement administration, including general policing; staff development and training; bias prevention; planning; policies and procedures; and motor vehicle patrol operations;
 - federal and state constitutional principles involved in policing;
 - design and implementation of law enforcement internal investigation systems;
 - design and implementation of law enforcement disciplinary systems;
 - auditing, investigating, or reviewing the performance of organizations (including experience in monitoring settlements or court orders);
 - computer technology and data management;
 - the principles of collective bargaining;
 - experience in working with government agencies and civil rights organizations; and
 - experience appearing in court as judge, counsel, or expert witness.
- **Prior Experience** -- List current or recent (three to five years) contracts or agreements where work relevant to the proposal's subject matter was performed. List contact individuals for each related experience, including the name of the organization and the contact person's name, title, address, and telephone number.
- **Personnel** -- To the extent the information is known at the present time, list the names of the individual or individuals who will bear the primary responsibility for the monitoring functions, identifying each individual's qualifications and attaching his or her resume. Also state the identity and qualifications of any anticipated subcontractor consultants. If the identity of the individuals or entities who will assist in performing the monitoring functions is unknown at the present time, state the areas of expertise for the individuals/entities you would seek to retain.
- **Proposed Activities** -- Generally describe the activities you would propose to undertake in order to monitor compliance, including the methods of obtaining information; methods for analyzing information; and the time to be devoted to the project (*i.e.*, how many hours per month).
- **Budget** -- Provide a reasonably detailed budget for all costs under the monitoring contract, including staffing costs, travel, outside consultants, and overhead.
- **Examples of Prior Work Product** -- If available, please attach a copy of any non-confidential work product that you have produced that is similar to the monitoring reports required by the Agreement.
- **Potential Conflicts** -- Disclose any potential conflicts of interest involving yourself, your firm, or a proposed subcontractor, including all current or former employment, contracts or grants with or from the State of New Jersey or the United States.

DEADLINE FOR SUBMISSION

Please submit a copy of your proposal by close of business on Monday, February 7, 2000, to each of the following addressees:

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Applicants should not expect proposals to be accepted after the February 7, 2000 deadline for submission. Should you need