

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF NEWARK,

Defendant.

HON. MADELINE C. ARLEO

*Civil Action No. 16-1731 (MCA)(MAH)***~~PROPOSED~~ ORDER GRANTING PARTIES'
JOINT MOTION FOR PARTIAL
TERMINATION**

THIS MATTER HAVING BEEN BROUGHT BEFORE THE COURT pursuant to a April 30, 2024, Joint Motion for Partial Termination ("Joint Motion") made by the United States and the City of Newark (the "City") (collectively, the "Parties"), asking the Court, pursuant to Paragraphs 218 and 224 of the Consent Decree, to partially terminate and modify the Consent Decree, as outlined below,

IT IS ON THIS 15 day of May, 2024,

ORDERED that the Joint Motion of the Parties is granted. The City of Newark and the Newark Police Division ("NPD") have demonstrated and maintained compliance with certain requirements of the Consent Decree (ECF No. 5), to justify the termination of these requirements. Thus, the Court **GRANTS** the Parties' Joint Motion, **TERMINATES** the Parties' obligations under Paragraphs 5 through 12, 14 through 19, 21 through 24, 25 through 28, 43, 55 through 62, 103 through 104, and 105 through 110 as described further in Subsection A of this Order. It is **FURTHER ORDERED** that the remaining subject matter areas of the Consent Decree will remain in full effect as outlined in Subsection B of this Order.

A. Areas for Termination

(1) Paragraphs 5 through 12, as they relate to the development of policy and training. To the extent that approved policies related to the remaining requirements of the decree require adjustments during the implementation process, the parties will confer and raise any disagreements to the Court for resolution. With respect to any policies relating to subject matter areas of the Consent Decree not proposed for termination in the Joint Motion, including complaint intake and investigation, discipline, and complaint misconduct in investigations (which the parties will continue to develop and implement), the parties will collaborate on adjustments to those policies as needed.

(2) Paragraphs 14 through 19 and 21 through 24, as they relate to community engagement;

(3) Paragraphs 25 through 28 and 43, as they relate to adherence to the Fourth Amendment during Investigatory Stops and Detentions, Searches, and Arrests.

(4) Paragraphs 55 through 62, addressing compliance with the First Amendment's right to observe, object to, and record officer conduct;

(5) Paragraphs 103 through 104, relating to the implementation of In Car and Body Worn Cameras; and

(6) Paragraphs 105 through 110, addressing the prevention of the Theft of Property.

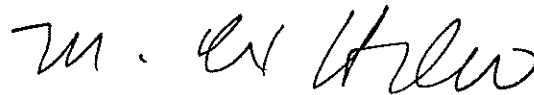
B. Areas of the Consent Decree Not Subject to Termination at this Time

(7) The provisions of the Consent Decree not described in Subsection A above will remain intact and subject to monitoring by the Monitor.

C. Ongoing Oversight

(8) Within six months of entry of this Order, the Parties will file a report with the Court describing the current status of compliance and any additional plans to bring the City and NPD into full and effective compliance with the remaining provisions of the Consent Decree.

(9) In or around October 2024, the Court will conduct a conference to hear reports on NPD's progress in implementing the reforms required by the Consent Decree and the effectiveness of monitoring efforts between entry of this Order and the conference.



HONORABLE MADELINE COX ARLEO
United States District Court