

RED, BLACK, & BLUE POLICE

ACCOUNTABILITY

PART III:

POLICY PULPIT TOOLKIT

**Salvation
and
Social Justice**
Liberating Public Policy Theologically

2023





AUTHORS:

Rev. Dr. Charles F. Boyer, Founder
Jared Hunter, Senior Organizer
Richelle Terese, Research & Public Relations
Racquel Romans-Henry, Policy Director



Testimony to Truth

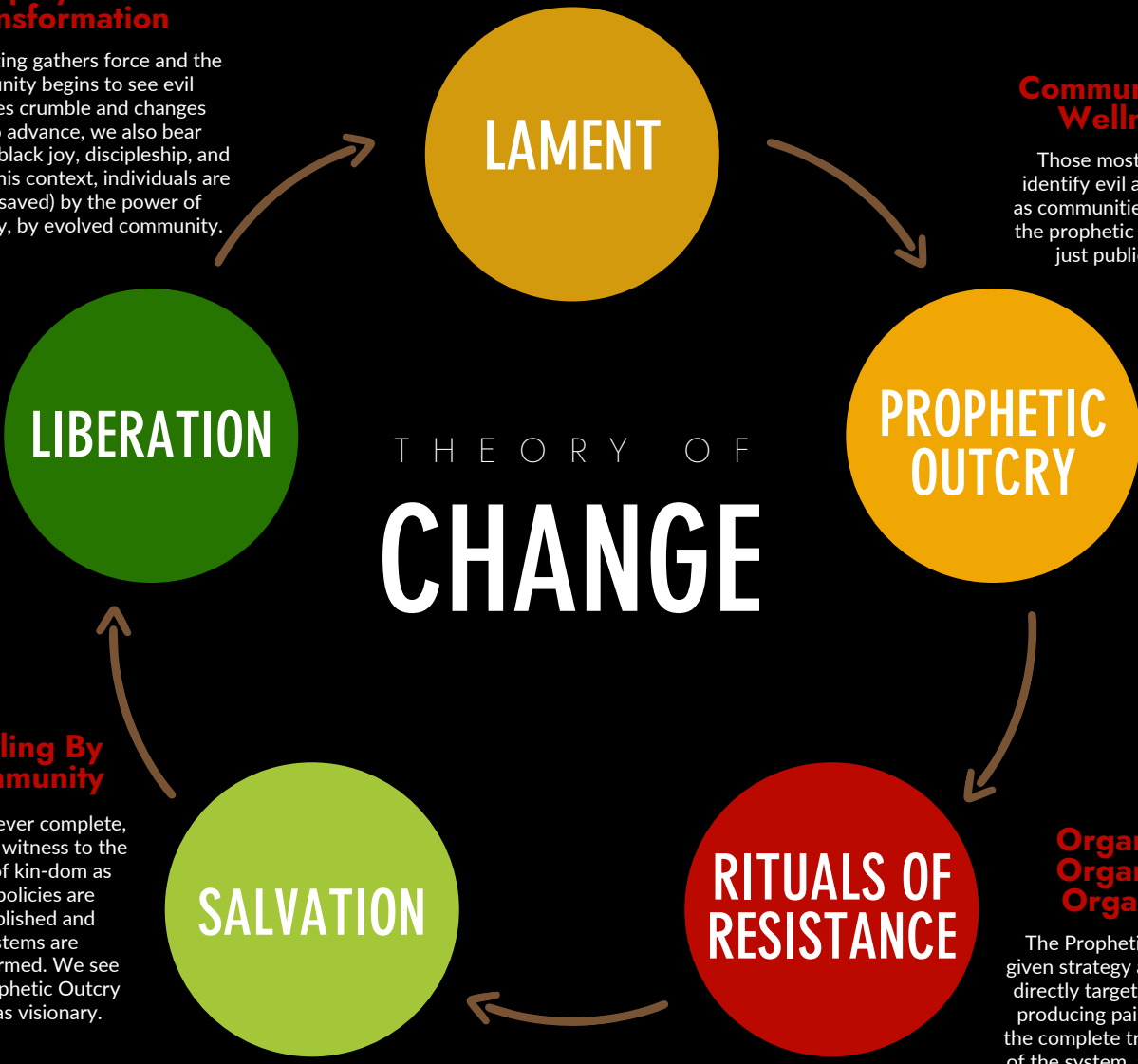
Rooted in Black Faith and Liberation Theology, voice is given as testimony to the impact of systemic racism by those most impacted. This witness is not performative pain, but a truth-telling moving toward liberation.

Equity and Transformation

As organizing gathers force and the community begins to see evil structures crumble and changes begin to advance, we also bear witness to black joy, discipleship, and calling. In this context, individuals are healed (saved) by the power of community, by evolved community.

Community As Wellness

Those most impacted identify evil and injustice as communities help shape the prophetic demands for just public policy.



LIBERATION

THEORY OF
CHANGE

**PROPHETIC
OUTCRY**

**RITUALS OF
RESISTANCE**

SALVATION

Healing By Community

While never complete, we bear witness to the signs of kin-dom as just policies are established and systems are transformed. We see the Prophetic Outcry now as visionary.

**Organize,
Organize,
Organize**

The Prophetic Outcry is given strategy and tactics to directly target the systems producing pain. Healing is the complete transformation of the system, as well as the realization of the prophethood or power of the people.

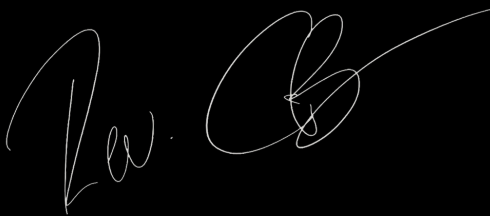
Sisters and Brothers,

Salvation and Social Justice seeks to liberate public policy theologically by modeling the hope and resiliency of Black faith. Our advocacy is for people who are historically marginalized and want to apply their religious belief system to move from lament to liberation while envisioning and creating community-led solutions to redeem a structurally racist society. Our theory of change has five components: Lament (testimony to truth), Prophetic Cry (community as wellness), Rituals of Resistance (community organizing), Salvation (healing by community), and Liberation (equity and transformation). We apply this process to confront urgent issues plaguing our communities. One of the most pressing crises of the 21st century is state violence and the criminal system. Therefore *Red, Black and Blue: New Jersey's Black Faith Response to Police Violence* is a three-part series on policing responds to the problem of racialized police use of force in New Jersey by providing resources to help congregations and communities confront the issue. Part I is a historical analysis of how the Black Church in New Jersey has responded to policing from the era of slave catchers to the current day. Part II is a theological analysis and application of our theory of change.

This part, Part III is a policy activation toolkit which lays our policy gains so far and the policy work still yet to be done. It is here where the Black church in New Jersey can continue our tradition of engaging the principalities and the powers and getting our people free.

This series is a result of our strategic partnerships and the proven strategies of Salvation and Social Justice's political gains and longstanding commitment to Black communities in the State of New Jersey through liberating theology and transformative public policy. But more than anything else it is the result of directly impacted people imagining something different than the oppressive punitive system handed to them.

It's On 'Til Liberation,



Rev. Dr. Charles F. Boyer

Greater Mt. Zion AME Church, Senior Pastor
Salvation and Social Justice, Executive
Director





I AM

A

MAN

PANELIST

FEBRUARY 2023 BLACK MULTI-FAITH ALLIANCE



5



N A M E

Bishop Reginald Jackson

A F F I L I A T I O N

Sixth Episcopal District of A.M.E. Church

E X P E R I E N C E

Bishop & Social Activist

A B O U T M E :

Reginald Thomas Jackson is the presiding prelate of the Sixth Episcopal District of the African Methodist Episcopal (A.M.E.) Church which encompasses over 500 churches in the state of Georgia. He was elected and consecrated the 132nd bishop of the A.M.E. Shortly after arriving in Orange, Pastor Jackson became involved in the life of the city, county and state, speaking out on issues and informing and organizing ministers and community to act in promoting God's kingdom on earth and in their best interest. In addition to pastoring St. Matthew Church,

C O N T A C T

www.ame6.church



Pastor Jackson served as the Executive Director of the Black Ministers Council of New Jersey (BMC), representing more than 600 Black churches in New Jersey from 1994-2012. He has been outspoken on every major issue in New Jersey, pressuring the state Supreme Court to order New Jersey to increase spending on poor school districts in the state, adequate funding for charity care, legislation to end predatory lending, ending the death penalty in New Jersey, needle exchange and most notably, legislation to end and make racial profiling a crime, the only state in the nation to pass such a law.



N A M E

Dr. Cheryl LaRoche

A F F I L I A T I O N

University of Maryland

E X P E R I E N C E

Author & Associate Research Professor

A B O U T M E :

Cheryl Janifer LaRoche works at disciplinary intersections. She combines history and geography with archaeology and material culture, historic preservation with cultural landscapes and mapping to produce a more fully realized narrative of the African American experience. Her focus is on pre-Civil War Black communities and their institutions, particularly the Underground Railroad. She has physically explored sites from New Hampshire to Missouri and into Canada. She holds a Ph. D. in American Studies with a concentration in Archaeology and African American history from the University of Maryland College Park.

C O N T A C T

www.drcheryllaroche.com/home



She has consulted for Smithsonian's National Museum of African American History and Culture, several National Park Service sites, the African Burial Ground Project and numerous museums, cultural institutions and historic sites. The Society for Historical Archaeology honored Dr. LaRoche with the John L. Cotter award for her "remarkable work in expanding the interdisciplinary development of historical archaeology in examinations of African American history and culture." She drew on her multidisciplinary methodology for her first book, *Free Black Communities and the Underground Railroad: The Geography of Resistance*.



N A M E

Carlton Mayers II

A F F I L I A T I O N

Mayers Solutions LLC

E X P E R I E N C E

Police Reform Consulting

A B O U T M E :

Carlton T. Mayers II, Esq., as founder, owner and head consultant for Mayers Strategic Solutions, LLC, has made great strides, with over 10 years of experience advocating for criminal justice reform on Capitol Hill and in more than 30 states. Informed by his experience, Carlton developed Community Empowerment-Centered Policing Reform ® and the C.A.T. Method SM, which stands for Community Empowerment, Accountability, and Transparency. Growing up with a diverse heritage in New York City, Carlton learned to value community, passion, and commitment.



C O N T A C T

www.mayersolutions.com

And the recent successes related to public safety and policing reform in several states and localities across the U.S. through Carlton's assistance, including the Kalamazoo County Open Database Resolution, further solidifies his devotion to helping communities break down the silos that prevent the open and honest exchange of information so that community members and law enforcement can effectively collaborate with each other to support public safety and ensure police accountability.



NAME

Racquel Romans-Henry

AFFILIATION

Salvation and Social Justice

EXPERIENCE

Policy Director



ABOUT ME:

Advocate and policy expert, Racquel Romans-Henry works with individuals, organizations and communities to amplify the voices of those who have historically been relegated to the margins of society to ensure that their voices and lived experiences inform policy changes in the state of New Jersey. She leads her work with integrity, passion, candor and good humor, while cultivating a framework that allows her to effectively elevate and support the communities that mean so much to her. With over 15 years of professional experience as a specialist with the federal government, a special aptitude for making meaningful



connections, and commitment to the service of her community, Racquel knows how to “speak truth to power” while equipping others with the knowledge to activate their own agency. During her time with Salvation and Social Justice, she is honored to have worked alongside advocate partners to address many of the state’s most critical social justice issues including but not limited to police accountability efforts, health equity and the decriminalization of cannabis. Racquel earned her Master’s Degree in Public Policy and International Relations from William Paterson University. She is a proud wife and a mother to two brilliant daughters.

CONTACT


www.sandsj.org



Black Franchise Collection

BUY



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POLICY AGENDA

SALVATION AND SOCIAL JUSTICE



11

CRIMINAL JUSTICE INITIATIVES

RETURN & RESTORE

CODIFYING THE NEW JERSEY ATTORNEY GENERAL'S USE OF FORCE DIRECTIVE

In December 2020, Attorney General Grewel released a new statewide use of force policy. If codified it would significantly strengthen protections against police use of force for people in this state beyond any administration. Codifying the Attorney General's use of force policy would also make New Jersey a national leader, with some of the strongest statutory prohibitions and guidance on use of force in the country.



DECRIMINALIZE BLACK BODIES

Draconian drug laws, especially those in New Jersey, have been at the helm of the over policing, disparate arrests, prosecution, incarceration, and disenfranchisement of Black communities.

We call to decriminalize the use and possession of personal use amounts of all drugs. We call to have punitive drug laws abolished, and in its place, we support policy that approaches drug use from a harm reduction and restorative justice framework and prioritizes reinvestment into communities most harmed.

SECOND LOOK LEGISLATION

We encourage legislators to adopt policy that: ends life imprisonment; ends mandatory minimums; and expands the clemency and pardoning processes for those subjected to disproportionate application of the law. We support policy that is grounded in science about public safety and recidivism and recognizes the humanity of all people.

COMMUNITY LED FIRST RESPONSE

We encourage legislators to adopt policy that establishes Community Response Teams as an alternative to law enforcement responses for nonviolent substance use, behavioral and mental health calls. Community response teams would serve as mental health and crisis intervention first responders that would rely heavily on highly trained professionals other than police. Community Response Teams have been proven to be effective tools in violence interruption as well as limiting unnecessary and harmful interactions between police and communities of color.

POLICE DECERTIFICATION

Last year we alongside several of our partners, were successful in getting police licensure legislation passed in New Jersey. Up until now, New Jersey was but one of four states in the nation that did not have a police decertification process. While we support the passing of this legislation as a step in the right direction, we also acknowledge that there are several areas in which statute falls short of best practices. It is for this reason that we continue to work to establish regulations that would ensure that its implementation aligns with the intention behind the legislation.

RACIAL IMPACT ANALYSIS

In 2018, the legislature passed S677, which requires that the Office of Legislative Services prepare racial impact statements for policy changes that affect pretrial detention, sentencing and parole. To date, there has only been one racial impact statement written as it pertained to decriminalization of cannabis. We are calling for the establishment of the Ronald Rice Institute for Racial Impact, a separate agency secured with the personnel and professional expertise required to ascertain and analyze statistical information that is critical to understanding the effects of legislation on certain socioeconomic and racial demographics as required by law.

CLEAN SLATE EXPUNGEMENT

In 2019, the legislature passed S4154, which created a petition process for “clean slate” expungement for certain New Jersey residents who had not committed an offense in 10 years. The clean slate legislation not only requires the implementation of an automatic expungement system, but it would establish a task force responsible for studying and monitoring the efficacy of this system and its functions. Despite being a huge step in the right direction and its potential to enfranchise thousands of returning citizens, the state has experienced significant stalls in the implementation of this legislation. We are engaging stakeholders and policy makers to examine and assess the current challenges as well as develop a community-led strategic action plan to advocate for the necessary improvements to the current expungement process.



LIBERATING PUBLIC POLICY THEOLOGICALLY

New Jersey purports to be progressive and diverse in both people and viewpoints. However, the state also holds some of the highest racial disparities in the nation. In New Jersey, Black residents are incarcerated at a rate of 12.5 times that of white residents. While Black people make up just 15 percent of the population in the state, we represent 43% of the arrests for drug violations despite the fact that there is no evidence that Blacks use drugs at a higher rate than whites. Amid these dismal realities, Salvation and Social Justice has achieved significant policy gains addressing violence interruption and police licensure:

POLICY GAINS

Independent Prosecutors

In 2019, Governor Phil Murphy signed S1036 into law, providing that the Attorney General handle the investigation and prosecution of a crime involving a person's death that occurs during an encounter with a law enforcement officer acting in their official capacity or while the decedent was in custody.

Use of Force Directive

In December 2020, Attorney General Grewal announced the first revision to the statewide "Use of Force Policy" in two decades. The new policy overhauled the responsibilities of law enforcement officers when interacting with civilians, including by:

- Prohibiting all forms of physical force against a civilian, except as a last resort and only after the officer attempts to de-escalate the situation and provides the civilian with an opportunity to comply with the officer's instructions;
- Prohibiting all forms of deadly force against a civilian – including chokeholds and strikes to the head or neck – except as an absolute last resort when the officer reasonably believes that such action is immediately necessary to protect the officer or another person from imminent danger of death or serious bodily injury;
- Prohibiting officers from firing weapons at a moving vehicle or engaging in a high-speed car chase, except under narrowly limited circumstances;
- Providing new guidance on the use of less-lethal force as an alternative to deadly force and as a tool for de-escalation;
- Establishing an affirmative "duty to intervene" that requires all officers – regardless of rank, title, or seniority – to intercede if they observe another officer engage in illegal or excessive force against a civilian; and
- Establishing an affirmative "duty to provide medical assistance" that requires officers to request – and, where appropriate, personally provide – medical assistance after any use of force against a civilian.

Violence Interruption

In January 2022, Salvation and Social Justice was awarded \$500,000 from the Office of the Attorney General establishing Salvation and Social Justice's Restorative Justice Hub which includes a violence interruption street team. Salvation and Social Justice's Restorative Street Team is a dedicated group of system impacted, professionally trained conflict resolution specialists committed to building a safe and healthy community by employing community led, holistic approaches to address community issues. Salvation and Social Justice is currently advocating for legislation that would establish community led alternative response pilot programs throughout the state.

Police Licensure

In 2022, Salvation and Social Justice along with advocate partners worked closely with lawmakers, the Attorney General and The Governor's office to push for the adoption of critical legislation as a necessary next step towards increasing police accountability and heightening the standard of policing for New Jersey residents. The



A man gestures to a National Guardsman during a protest in Newark in 1967. Photograph: New York Times/Getty

legislation establishes a certification system that would require officers who have engaged in acts of misconduct to lose their police license (i.e. acts of domestic violence, found to be affiliated with or supporting anti-government or hate groups, convicted of a crime or engages in any offense that prevents them from carrying a weapon). Additionally, the legislation establishes uniform standards and criteria for hiring and disciplining officers. These standards include a mandatory 3-year renewal of licenses which would depend on the passing of a psychological examination along with the completion of training courses.

Salvation and Social Justice's policy agenda highlights a track record of community accomplishments and political gains that is the culmination of collective action centering those closest to the problem and activating liberative faith. This direct linkage of Black faith, particularly AME Faith and Black resistance against state sponsored racial violence is woven into the DNA of New Jersey's Black liberation efforts. The Black Church at large and the African Methodist Episcopal faith specifically has fought to free Black people from slave catchers, abolish slavery, hold police accountable and create alternative community led solutions.

Policy Goals and Recommendations

Our goals to advance policy agendas on the issue of police accountability are threefold:

1. To Codify the Attorney General's Use of Force Directive

2. To establish and strengthen regulations for the Police Licensure Program

2. To establish Community Led Alternative Response Pilot Programs throughout New Jersey

RECOMMENDATION #1: CODIFY THE ATTORNEY GENERAL'S USE OF FORCE DIRECTIVE

The current policy is very strong and represents a significant improvement to New Jersey's existing statutory provisions on use of force. However, there is still room for improvement. Codifying the current Use of Force Directive would significantly strengthen protections against police use of force for people in New Jersey and beyond. We are recommending statute that gives special considerations to the following areas: criminalizing chokeholds; prohibiting the use of canines; establishing stricter provisions on the use of conducted energy devices (CEDs); categorizing the act of pointing a firearm as use of force; and accountability provisions that ensure that violation of use of force provisions would result in termination of employment and decertification.

Chokeholds

Salvation and Social Justice recommends that Use of Force legislation explicitly bans and criminalizes the use of chokeholds by law enforcement. Chokeholds are lethal and are disproportionately used against Black people. Banning chokeholds is aligned with modern policing practices in New York and other large law enforcement agencies that ban this practice. There are no circumstances in which law enforcement officers should be allowed to use a chokehold, and our state laws should reflect this reality.

Canines

Use of Force legislation should restrict the use of canines to explosive detection, security sweeps, or search and seizure efforts. The use of canines against crowds should be prohibited, as well as the visible presence or deployment of canines for crowd control purposes. Detailed reporting instances where a canine is deployed and/or the results on an attack of a subject should be accounted in a report as outlined in the Attorney General's Use of Force Policy.

The practice of using canines as a tool of terror and oppression has a long, arduous, and racially-charged history. Dating back to 1490s, there is documented history that details the ways in which Christopher Columbus commanded dogs to "tear apart Indians like beasts." Men, women and children were fed to dogs in a spectacle that's primary aim was to terrorize the community into compliance. In the 17th century, point dogs were specifically trained to track, attack, apprehend and subdue enslaved Africans. Like the Indigenous population before them, Africans were killed and tortured by canines.

The use of canines to control marginalized communities has continued throughout our history. During the 1960s, the police canine became a well-known tool of state violence. Perhaps most common are the images from the Civil Rights Era of Black, nonviolent, peaceful protestors being attacked by German Shepherds at the behest of white police officers. More recently canines were used against Indigenous protestors of the Dakota access pipeline; and recent investigations into cities like Ferguson, Missouri and Los Angeles, California show that canines are almost exclusively used on Black populations.

While there is no national database that tracks the use of canines by police and few departments keep standardized data, there has been independent research that has documented the problematic and racially charged use of canines by police. Restricting the use of canines to search and rescue efforts is the responsible path forward for New Jersey.

Conducted Energy Devices (CED)

Use of Force legislation should include the following provisions on Conducted Energy Devices (CED) and less lethal devices, that go beyond what is currently prohibited and required by the Attorney General's Use of Force Policy. Use of CEDs and less lethal devices should not be used unless all

other forms of de-escalation have been employed. Officers should not direct an electrical charge or current against a person or threaten (whether verbally or by brandishing the CED) as a means of gaining compliance, even if the subject is being uncooperative or physically evasive (i.e. tensing up one's arms or lying limp). Further, shocks should be administered for as short a time as possible. Officers may not deploy multiple rounds against an individual simultaneously.

In addition, CEDs and less lethal devices should not be used:

- a. When an individual is handcuffed or operating a motor vehicle;
- b. On vulnerable populations, including but not limited to,
 - i. Children
 - ii. Pregnant Women
 - iii. The elderly
 - iv. People who are frail or particularly small in stature
 - v. Those with heart conditions (especially those who use pace makers)
 - vi. People known to be under the use of drugs or alcohol
 - vii. The infirm

c. On sensitive areas of the body such as upper chest, head/scalp, eyes, mouth, neck, or genitalia.

d. Any officer who directs an electrical charge on a subject shall render first aid immediately following deployment. They shall also call for medical assistance immediately. If an officer believes that the use of a CED may be necessary, they shall be required to call for emergency medical services in advance.

e. An officer shall not administer a second or subsequent firing of a CED or less lethal device if the individual no longer poses an imminent threat to others.

If a CED or less lethal device is used on an individual and that individual remains in police custody, officers must monitor the medical condition of the individual. Officers must retain detailed reports on the subject's medical condition directly following the deployment of the CED and through the subject's release or transfer of custody. Any officer in possession of a CED must also have in their possession a defibrillator and must be trained and certified in its use. Officers shall not use any restraint techniques immediately following the use of a CED or less lethal device.

- A supervising officer shall report to the scene of the CED deployment to assess the appropriateness of the use of force. A more comprehensive investigation must be performed in the following instances:
 - When an individual dies or is seriously injured from deployment of CED
 - When an individual experiences a prolonged CED activation
 - When there has been a substantial deviation from CED training and guidelines

- Every law enforcement agency in the state must monitor CED deployments. When available, agencies must use downloadable CED data for monitoring and tracking. Data on CED deployments by agency shall be made available to the public online. CEDs and less lethal devices are problematic policing tools that should be used in very limited circumstances.

While CEDs are often touted as the quickest way to deescalate a situation to gain compliance, the data tells a different story. In 2020, American Public Media published “When Tasers Fail,” that revealed that in 3,000 fatal police shootings between 2015 and 2017, in 258 of the cases tasers, “had failed to subdue someone before the police shot and killed them.” Tasers are especially problematic in situations with vulnerable populations, including those under the influence of a substance or individuals who are experiencing a mental health issue. Data from some of the largest police departments in the country also reveal the ineffectiveness of CEDs. Reports show that police rate CEDs as effective only about 55 percent of the time, and when they fail to be effective the results can prove to be life threatening not just for members of the public, but also police officers.

Display of Weapons

Use of Force legislation should prohibit officers from pointing a firearm as a means of gaining compliance or discouraging resistance in instances when the officer is not facing a risk to their life. The act of pointing a firearm should be considered a use of force and must be reported as a show of force on the Attorney General’s use of force reporting portal.

Pointing a firearm is in and of itself a use of force. While pointing a firearm may successfully achieve compliance in some instances, the reality is that the mere presence of a deadly weapon often escalates a situation and makes it more unsafe. When confronted with a firearm individuals may respond physically. An officer may wrongfully interpret a physical reaction by an individual as a threat to the officer’s own life, thereby putting the individual at greater risk of injury or death should the officer discharge the weapon. A firearm inherently heightens the emotions of all involved, which can quickly lead to an escalating situation.

In 2020, George Floyd was first approached by an officer with his firearm pointed at him. Before Mr. Floyd was ever told what he was being accused of, he had a firearm pointed in his face. Pointing the firearm at Mr. Floyd escalated the encounter instantly. Mr. Floyd plead with the officer expressing his fear because he had been shot before (a claim that his associates who were present confirmed). And while Mr. Floyd did not ultimately die from a bullet, his story is evidence of how displaying a weapon prematurely or unnecessarily escalates a situation, and as a matter of policy should be prohibited.

Police Accountability

Use of Force legislation should be clear that any officer who violates any provision of this statute shall be subject to disciplinary action, up to and including termination. Any officer

who specifically violates deadly force provisions shall be terminated immediately and be made ineligible for employment at any law enforcement agency in the state.

Use of force policies exist to protect citizens. Without real accountability for the actions of officers, the policies represent empty promises to the public. Strong accountability provisions send a clear message to law enforcement officers that unlawful acts will not be tolerated. Codifying the Use of Force policy with the aforementioned recommendations would make New Jersey a national leader, with some of the strongest statutory prohibitions and guidance on use of force in the country.

Salvation and Social Justice along with our partners at the NYU Policing Project have drafted bill language that would codify the Use of Force Directive with special consideration to the aforementioned areas. A legislative sponsor has been identified and we are actively collaborating with lawmakers and advocacy partners on the introduction of this legislation.

RECOMMENDATION #2: ESTABLISH AND STRENGTHEN REGULATIONS FOR THE POLICE LICENSURE PROGRAM

Up until the signing of this important legislation, New Jersey was just one of four states in the entire nation that still had not established a police licensure program. This legislation is an important step in the right direction, but there are several areas where the bill falls short of the best practices that we have seen in other states, and we believe that making the following adjustments in those areas will take this from merely a well-intentioned piece of legislation to law with actual teeth.

Composition of The Police Training Commission (PTC)

The current Commission composition is more law enforcement heavy than we have seen in other states that have recently passed police licensure reform. Under the current legislation $\frac{3}{4}$ of the current commission would be law enforcement officers or officials and the Licensing Committee would require having just one non-law enforcement member.

Best practice is for $\frac{1}{3}$ to $\frac{1}{2}$ of Commission members to come from outside the law enforcement community in order to ensure viewpoint diversity, therefore we are recommending that the statute be revised to add more non law enforcement members to both the Commission and the Licensing committee. Those members may include civil rights attorneys; public defenders; social workers; other community representatives; persons with civil oversight or auditing experience; and/or tribal members.

Add Grounds for License Suspension or Revocation

We are offering two recommendations for reforming the grounds for license suspension or revocation. The first, would require adding additional grounds for which the commission can suspend, revoke or deny a license. Including these additional, more specific grounds is important to ensuring that there will be less reliance on broader residual grounds for discipline. Additionally, it furthers law enforcement officers' due process interests by providing clearer notice of the types of conduct that could result in discipline from the commission.

Secondly, we recommend that the statute language require revocation as opposed to suspension for more serious forms of misconduct such as felony convictions, intentional perjury/false written reports/ witness or victim tampering, intentionally falsifying evidence, and excessive force resulting in death. Mandatory license revocation would not only be merited in these instances, but it would ensure that the Commission is treating each case with a uniformed standard.

Subpoena Power

The current statute does not vest the Commission with subpoena power, which is critical to ensure that the Commission has the ability to conduct meaningful license revocation/suspension investigations. We recommend vesting the Commission with subpoena power and the power to secure the cooperation of other agencies, which includes law enforcement agencies in carrying out its duties under the statute. While subpoena power has traditionally been a heavy lift as it relates to police accountability reform efforts, it is important to note that there is nothing provocative about subpoena powers at all, rather it is a necessary safeguard to ensuring that agencies don't hinder the Commission's work by simply refusing to cooperate.

Enforcement Mechanisms

Like subpoena powers, it is important to add enforcement mechanisms to ensure compliance and the effective implementation of this policy. Current statute offers no penalty if an agency chief simply refuses to report the information that they are required to by law. Adding enforcement mechanisms for the reporting provisions outlined in the existing statute upholds the spirit of transparency and accountability that the bill intended.

Sustained Findings of Misconduct

At various points throughout the current statute the bill requires a "sustained finding" of misconduct before an agency must report the alleged misconduct to the Commission or before the Commission can suspend or revoke an officer's license. We recommend that this language of "sustained finding" be removed, especially as it relates to the most severe categories of misconduct such as excessive force that results in death or injury.

Requiring a sustained finding will result in substantial delays before the information is reported to the Commission, thereby

limiting the Commission's ability to serve as a crucial guardrail when law enforcement agencies fail to uphold their disciplinary duties.

The Police Licensure bill has been signed into law, but there is still an opportunity to get New Jerseyans the strongest possible statute for a safer, more just and more accountable New Jersey. While it is true that we did not have all of our recommendations included in the original bill language, we are currently in conversations with the lawmakers around regulatory provisions and the potential for a cleanup bill that would get us closer to language that reflects the intent of the legislation.

RECOMMENDATION #3: ESTABLISHING COMMUNITY- LED ALTERNATIVE FIRST RESPONSE PILOT PROGRAMS THROUGHOUT THE STATE

We are encouraging legislators to adopt policy that establishes Community-led Response Teams as an alternative to law enforcement responses for nonviolent substance use, mental health concerns and other complex health and social needs. Community response teams would serve as mental health and crisis intervention first responders that would rely heavily on highly trained professionals other than police.

The policy calls for an allocation of \$20 million to establish community led alternative response pilots across 10 New Jersey municipalities for two years. Those municipalities must work in partnership with or be led by a community-based organization and must include a state-approved harm reduction center or offer harm reduction services. Community Response Teams have been proven to be effective tools in violence interruption as well as limiting unnecessary and harmful interactions between police and communities of color. The adoption of this policy would serve to continue the successes that have been realized in other communities and work to realize an alternative vision for public safety in Black communities.

Salvation and Social Justice successfully drafted bill language and identified a legislative sponsor. We continue to collaborate with lawmakers, advocacy partners and various stakeholders on the introduction of this legislation, while engaging in legislative and public education efforts around the benefits and successes of community response models throughout the country.

These three goals and policy recommendations will make significant strides to promote racial equity and community safety for otherwise vulnerable Black communities.



**NO MORE
NAMES!**

CALL TO ACTION

SIGN ONEDUCATEADVOCATE



21

CALLING FOR CHANGE

COMMUNITY LED RESPONSE SCRIPT

Hello, my name is [insert name], and I am a constituent from [insert town/state]. I am calling to urge you to support significant investments in community led response pilots that would serve as an alternative to law enforcement responses for nonviolent substance use, behavioral and mental health calls. The presence of community response teams has proven to be more effective in violence interruption and limiting unnecessary and harmful interaction between police and Black communities.

A significant investment in community led first response pilot programs would be an investment in healthier and safer New Jersey communities.

I am urging you to take action on this important issue.

I may be reached at [insert phone number].

Thank you for your time and consideration in this matter



CODIFY THE ATTORNEY GENERAL'S USE OF FORCE DIRECTIVE SCRIPT

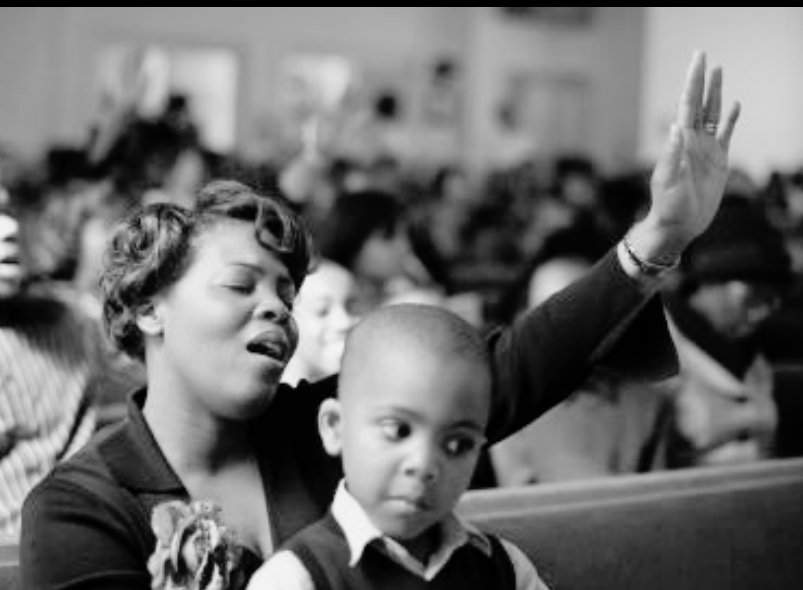
"Hello, my name is [insert name], and I am a constituent from [insert town/state]. I am calling to urge you to codify the Attorney General's Use of Force Directive, which would significantly strengthen its protections against police use of force for people in this state beyond any administration.

It's been nearly three years since the murder of George Floyd by former police officer Derick Chauvin and nearly three years of calls for accountable policing by advocates and community members with little movement on the part of lawmakers. During this time, the number of people who have died during police encounters in New Jersey continue to rise, while use of force claims continue to cost New Jersey tax payers millions each year in settlements.

Codifying the Use of Force Directive would not only impose strict limits on officers' use of force, but equally as important, it would require officers to intervene if they witness another officer using excessive force and establishes clear consequences for failure to do so.

I am urging you to take action on this important issue. I may be reached at [insert phone number].

Thank you for your time and consideration in this matter."





February 2, 2023

Senate President Scutari,
Assembly Speaker Coughlin, and
Majority Leaders Ruiz and Greenwald,

RE: [ADD TITLE HERE]

Dear Senator / Representative/ Assembly _____;

We, the undersigned, represent faith leaders, congregants, community members, advocates and people of conscience of this great state. As such, we feel compelled to express our concern over the lack of movement on the part of the Legislature to enact meaningful and substantive policy that addresses the critically important issue of police accountability in the state.

We are calling for the Legislature to codify the New Jersey Attorney General's Use of Force Directive, that would significantly strengthen protections against police use of force in this state beyond any administration. Codifying the Attorney General's Use of Force policy would also make New Jersey a national leader, with some of the strongest statutory prohibitions and guidance on use of force in the country.

We are also calling for legislators to adopt policy that establishes Community Led Response Teams as an alternative to law enforcement responses to nonviolent substance use, behavioral and mental health calls. Community response teams would serve as mental health and crisis intervention first responders that would rely heavily on highly trained professionals other than police. What we are calling for is not a co responder model rather a model that is led and informed by the community, free of law enforcement presence or interference. Community Response Teams have proven to be effective tools in violence interruption as well as limiting unnecessary and harmful interactions between police and communities of color.

Nearly three years ago, in the wake of George Floyd's murder by former police officer Derick Chauvin, we witnessed streets erupt throughout the nation and indeed the globe demanding an end to police violence and misconduct. But perhaps even louder than the people's lament was the resounding call for accountability. That call was met with promises from elected officials and leaders to commit to ensuring not just police accountability, but transparency, and fairness within Black communities across the state.

Those promises have fallen flat, and despite a package of police accountability bills presented to the legislature by advocates throughout the state, lawmakers have consistently failed to advance any substantive legislation that would make good on that promise.

New Jersey exists as one of the most inequitable states in the nation, and Black residents are disproportionately subjected to police use of force at alarming rates. Statewide, Black residents are three times more likely to face police force than white residents. Despite these alarming facts, New Jersey lawmakers continue to pass legislation that further undermines transparency efforts and erodes public trust. Most notable was the passing of Senate Bill 3939 that allows law enforcement officers to review body worn camera recordings prior to creating an initial report. This bill passed with virtually unanimous support, while a broad package of policing bills addressing the issue of transparency; civilian review boards; criminalized the use of chokeholds; and qualified immunity, languished in the legislature.

The situation in New Jersey remains dire and in need of immediate redress. As you know, New Jersey has the worst racial disparities in the country within our adult and youth criminal justice systems—communities of color in our state are overpoliced, overincarcerated, and disproportionately impacted by police misconduct. The solution to these acute problems does not rest in increased investments in police training, agencies and technology. The solutions exist among those who are directly impacted by the problem. Significant investments in community led response teams as well as the codification of the Use of Force Directive are both necessary and timely steps if New Jersey ever intends to honor its commitment to its residents.

We stand collectively with and in support of these communities who are most vulnerable and most affected by police abuse and misconduct. We stood with them as they took to the streets in protest of injustice in 2020, and we stand with them now as they move their protests to policy change amidst the most recent tragic example of police violence, Tyre Nichols. We stand with our communities to demand police accountability and to abolish systemic racism. We are working with our communities to lament these injustices, to prophetically demand meaningful policy changes combatting these injustices, and then to ultimately live in liberation.

Our ask to you is simple. We ask that you honor the commitment you made to communities nearly three years ago by advancing meaningful legislation that addresses the issue of systemic racism within New Jersey policing. The legislature can make good on its promise by codifying the Attorney General's Use of Force Directive and establishing community led response teams throughout the state. The time is now for the state to assume bold, courageous, and necessary leadership that New Jerseyans were promised and deserve.

Sincerely,

(Sign and print your name and remember to include your address)

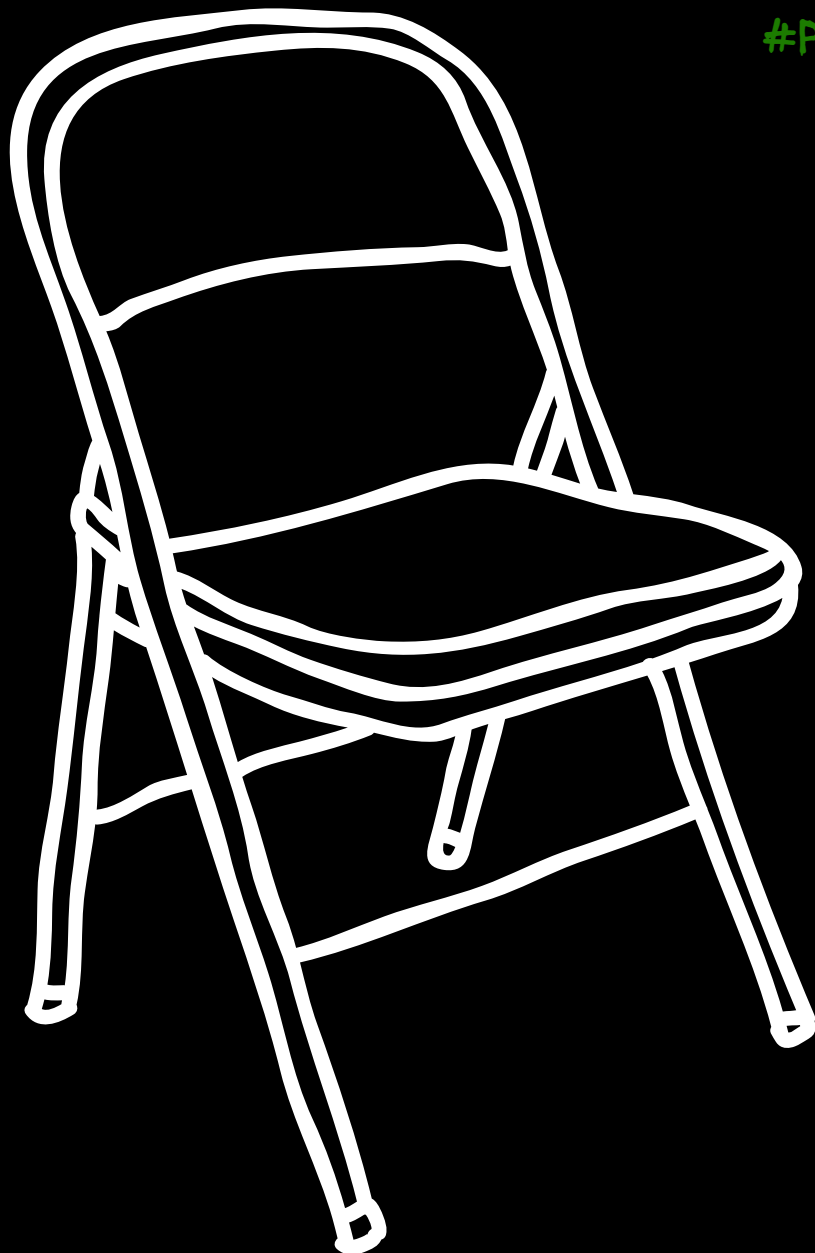
**** FIND AND CONTACT YOUR STATE LEGISLATORS HERE [HTTPS://WWW.NJLEG.STATE.NJ.US/LEGISLATIVE-ROSTER](https://www.njleg.state.nj.us/legislative-roster)**

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#RESTORATIVEJUSTICE

#PROMOTINGPEACE



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RESOURCES



27

GLOSSARY

*Words create worlds. "Death and life are in the power of the tongue." (Proverbs 18:21)
The words we use have a profound effect on how we understand and approach an issue.*

Allies

the people and organization(s) that can help you get what you want.

Arrest

The act of seizing a person to take into custody. An arrest must be based on probable cause.

Asset Forfeiture

A civil proceeding to permanently seize property that has been used for criminal activity.

Bias-Based Policing

Any action a police officer takes that is influenced by bias (explicit or implicit), prejudice, or discrimination.

Body Cavity Search

A search that involves inspection of a body cavity (i.e., rectum, vagina).

Broken Windows Policing

An approach to law enforcement that assumes that enforcement of minor offenses will prevent future crime.

Campaign

A planned activity, or set of activities, carried out over a period of time with the purpose of achieving social or political change.

Chokehold

A physical, hands-on maneuver that cuts off the supply of oxygen to the brain.

Civilian Oversight Board

A formal collection of community members that aim to hold police officers and police departments accountable for their actions and policies. Oversight bodies should represent all sectors of a community, including those disproportionately targeted by policing. Glossary

Class Action Lawsuit

A lawsuit that seeks to establish a pattern or practice of an ongoing problem within a police department by showing multiple examples of the issue at hand. Typically, the goal of a class action lawsuit is to prompt change in policy or training at a department.

Coalition

A group of several individuals or organizations who share an interest in a particular issue and come together to work on that issue.

Community Policing

A holistic approach to law enforcement in which police departments actively build meaningful relationships with community members to improve public safety and advance community goals.

Consensus (or Modified Consensus)

A decision-making process wherein everyone in the group agrees to allow a decision to be made before the group moves forward. In contrast to majority rules decision-making processes, consensus ensures that all voices and opinions in the room are heard. In modified consensus, a group strives for consensus whenever possible but may resort to majority rules if consensus cannot be achieved.

Consent Decree

A court-ordered agreement that outlines changes that police departments must make to comply with the U.S. Constitution. Often, independent monitors oversee consent decrees.

Constituents

The people directly impacted by the issue you are organizing around.

Color of Law

Conduct both on and off duty that is facilitated by the authority vested in police officers, including through official vehicles, equipment, or information.

Crisis Response

An approach to policing that diverts individuals experiencing mental health crisis or substance use disorders from standard criminal justice processing at the front end and directing them instead to appropriate treatment settings.

Critical Incident

An individual incident of excessive or lethal force or police misconduct. Individuals and organizations promoting police reform often use critical incidents to put pressure on officials to make necessary changes to policing policies and practices as well as to increase accountability and oversight.

Decriminalization

The process of removing or reducing a criminal classification, usually by establishing a preference for issuing a warning or summons rather than making an arrest.

Deliberative Process Privilege

Privilege that protects information about internal decision-making processes in an agency to enable decision-makers to express themselves candidly and explore different solutions before settling on a final policy or decision.

Demand

The specific measurable thing you want to win.

Diversion

A program that implements rehabilitative strategies and services instead of traditional criminal punishment.

Explicit Bias

Conscious prejudices, attitudes, or stereotypes held against a person or group of people.

External Procedural Justice

Practices and relationships that demonstrate fairness and respect outside a police department (i.e., between the police department and the community).

Force

The application of physical strength for coercive purposes. Police use of force can range from the use of hands, legs, batons, or other equipment, including vehicles, handcuffs, restraints, pepper spray, tear gas, water cannons, canines, Tasers, and firearms.

Freedom of Information Act (FOIA)

Request A formal request for full or partial disclosure on request of information and documents the government controls. The federal government and all 50 states and the District of Columbia have laws mandating that information that public agencies and officials keep be made available on request to members of the public. Individuals or groups can issue a FOIA request for information about policies, data, or the structure of a police department. Read more about FOIA at [https:// www.foia.gov](https://www.foia.gov).

FZX

A pat-down or search of a person's outer clothing. A frisk must be based on a reasonable, articulable suspicion that the person being frisked of the frisk is armed and presents a danger to a police officer during a lawful investigatory stop. Unless the police officer feels something that could be a weapon through the outer clothing, they cannot go inside a person's pockets or under the person's hat or other clothing during a frisk (See "Stop-and-Frisk").

Gender

The socially constructed set of characteristics typically associated with a "gender binary" in Western-dominant culture or two dominantly accepted gender expressions of masculinity and femininity. Many cultures, including cultures indigenous to the United States, recognize more than two genders. Gender is not defined by biological sex characteristics.

Gender Expression

An external manifestation of gender, expressed through a person's name, personal pronouns, clothing, haircut, behavior, voice, or body characteristics. Western-dominant culture identifies these cues as masculine or feminine, although they vary by culture.

Gender Identity

A person's internal, deeply held sense of their gender. Unlike gender expression, gender identity is not visible to others. Gender identity is not immutable; it may shift over time.

Gender Nonconforming

A term used to describe people whose gender expression is different from conventional expectations of masculinity and femininity.

Goal

The result or achievement toward which an effort is directed; aim; end.

Hogtying

Restraining a person in a prone position by tying their wrists and ankles together behind them.

Implicit Bias

Subconscious biases that have been imparted to each of us by our received culture and the experiences, images, and media we consume, which influence and affect our daily actions and interactions.

Internal Procedural Justice

Practices and policies that demonstrate fairness and respect within a police department.

Latinx

A gender-neutral and inclusive term used to refer to people of Central or South American descent.

Law Enforcement Bill of Rights

State laws that limit and set conditions on investigations of police misconduct and discipline, including limitations on public release of information.

Law Enforcement Privilege

Privilege that allows law enforcement agencies to withhold information about current investigations or information that, if released, would interfere with legitimate law enforcement interests.

LGBT+

Acronym for lesbian, gay, bisexual, transgender, and queer/questioning.

Loitering

Standing, hanging out, or lingering in a public place. Many jurisdictions have statutes or ordinances against loitering that give police the power to arrest someone who refuses to vacate the space.

Mandatory Arrest Laws

The legal duty of police to make an arrest when responding to intimate partner violence calls if they find probable cause to believe an offense has been committed.

Plaintiff

The person who initiates a lawsuit or makes a legal complaint.

Police Union

Like other workforce unions, police unions represent individual police officers and negotiate union contracts with police departments, including provisions on discipline and accountability. Police unions often take an active role in advocating for legislation and policies favorable to police officers.

Political Education

A collective study process to bring greater clarity to historical factors that have affected marginalized or oppressed people and led to current societal or political conditions. Such education incorporates and builds on people's lived experiences to draw larger connections to the world around them. It often includes the study of popular movements for social change and may lend greater clarity, for example, to questions about the role of racism and other oppressions in present-day policing.

Positional Asphyxia

Death that results from being placed in a position that interferes with the ability to breathe.

Predictive Policing

Use of data and computer systems to automatically forecast where and when crime will occur.

Pretext Stops

A stop that a police officer makes, with or without probable cause or reasonable suspicion, that allows the officer to then investigate a separate, unrelated, or suspected criminal offense.

Primary Target

A target is the person who can give you what you want. It is always a person. It is never an institution or an elected body. For example: the primary target is not the City Council. The primary target would be the individual City Council members.

Private Right of Action

An individual's right to sue a police officer or department.

Proactive Policing

Policing strategies intended to prevent or reduce crime. (See "Predictive Policing.")

Probable Cause

A belief, based on specific facts, that would lead a reasonable police officer to conclude that it is likely that a person has broken a law.

Procedural Justice

A term used to describe treating individuals fairly and respectfully during police interactions. (See "External Procedural Justice" and "Internal Procedural Justice.")

Profiling

The act of generalizing a person or group of people based on personal attributes. In the policing context, profiling refers to the act of presuming that a person or group of people are involved in criminal activity. Profiling can be based on intentional discrimination or widely held biases and beliefs that certain types of people are more likely to break the law or do harm than others.

Reasonable Articulate Suspicion (or Reasonable Suspicion)

A legal standard for an officer to perform a search; it must be based on facts known to the officer at the time of the search and must be more than a "hunch" or a profile.

Search Warrant

A legal document authorizing the search of a home or business.

Secondary Target

A person who has the power over the primary target and can help give you what you want. For example: the secondary target may be individuals within an organization that donated money to the City Council member's campaign.

Sexual Orientation

A scientifically accurate term for an individual's enduring physical, romantic, or emotional attraction to other people.

Special Weapons and Tactics (SWAT)

Highly militarized teams created to handle hostage, active shooter situations, terrorism and, in certain situations, to execute drug warrants.

Stop-and-Frisk

When police temporarily detain somebody and pat down their outer clothing when there are specific, articulable facts leading a reasonable police officer to believe that a person is armed and dangerous. Stop-and-frisk is also sometimes referred to as a "Terry stop," derived from the U.S. Supreme Court case *Terry v. Ohio*, which decided that stop-and-frisk must comply with the Fourth Amendment of the U.S. Constitution and cannot be unreasonable. (See "Frisk.")

Strategy

A broad plan for achieving a goal. Strip Search A search that involves partial or full removal of a person's clothing. Tactic A planned action, task, or procedure used to fulfill a strategy.

Tactic

An action taken to move your target to give you what you want.

Taser

A weapon that delivers electric currents to disrupt voluntary control of muscles, causing temporary paralysis.

Transgender

An umbrella term for people whose gender identity or gender expression differs from what is typically associated with the sex assigned at birth.

MODEL LEGISLATION & POLICY RESOURCES

FAITH BASED

- African Methodist Episcopal (AME) Church Social Action Commission Voter ALERT - <http://www.ame-church.com/>
- African Methodist Episcopal Zion (AME Zion) Church - <http://www.amez.org>
- Christian Methodist Episcopal (CME) Church - <http://thecmechurch.org/>
- Full Gospel Baptist Fellowship International (FGBFI) Church - <http://www.fullgospelbaptist.org/>
- National Baptist Convention of America (NBC of A) - <http://www.nationalbaptist.com/>
- National Baptist Convention, USA (NBCUSA) - <http://www.nbcainc.com/>
- Church of God in Christ (COGIC) - <http://www.cogic.org/>
- Progressive National Baptist Convention, USA (PNBC) - <http://www.pnbc.org/>
- Freedom Sunday Texas Coalition - <http://freedomundaytx.org/>
- Samuel Dewitt Proctor Conference (SDPC) - <http://sdpconference.info/>
- PICO LIVE FREE Campaign - <http://www.piconetwork.org/campaigns/live-free>
- African American Ministers Leadership Council - Vessels Vote Initiative <http://www.pfaw.org/>
- VESSELS Faith in Public Life - www.faithinpubliclife.org

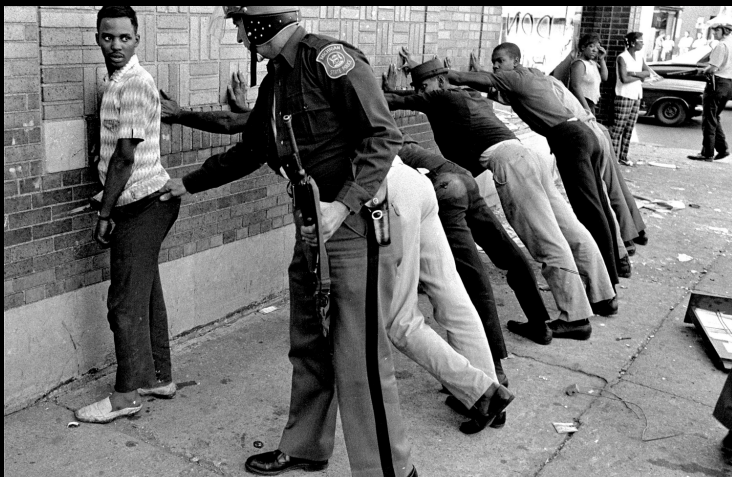
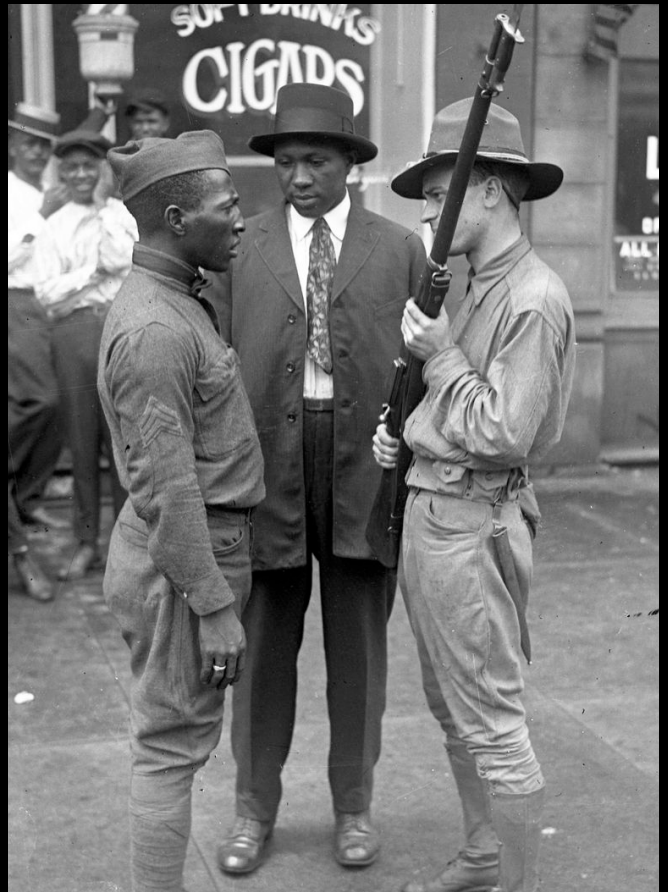


YOUTH-INITIATED ORGANIZATIONS

- Black Lives Matters www.blacklivesmatter.org/
- The Dream Defenders <http://dreamdefenders.org/vest/>
- The Gathering of Justice <http://www.gatheringforjustice.org/>
- We The Protestors <http://www.wetheprotestors.org/>
- Black Youth Project <http://byp100.org/>
- Black Youth Vote <http://ncbcp.org/programs/byv/>

CIVIC/ COMMUNITY

- The John Legend #FREEAMERICA Initiative – www.letsfreeamerica.org
- Fair Vote – www.fairvote.org
- League of Women Voters– www.lwvmd.org
- CASA De Maryland– www.wearecasa.org
- Luminus – www.beluminus.org
- NAACP Legal Defense Fund - www.naacpldf.org
- NAACP New Jersey State Conference – [@naacpnjsc](http://www.naacpnj.org)
- NJ Institute for Racial Justice – www.njisj.org
- National Action Network (NAN) – www.nationalactionnetwork.net
- The Shriners – www.shrinersinternational.org
- National Urban League (NUL) – www.nul.org
- The Links Incorporated – www.lincsinc.org
- Alpha Phi Alpha Fraternity, Incorporated – www.nphchq.org
- Alpha Kappa Alpha Sorority, Incorporated
- Kappa Alpha Psi Fraternity, Incorporated
- Omega Psi Phi Fraternity, Incorporated
- Find Your Members in the U.S. Congress - <https://www.congress.gov/members/find-your-member>
- Meeting with Your Federal Legislators - <https://www.uscp.gov/visiting-capitol-hill/visitor-information/book-tour>



- Delta Sigma Theta Sorority, Incorporated
- Phi Beta Sigma Fraternity, Incorporated
- Zeta Phi Beta Sorority, Incorporated
- Sigma Gamma Rho Sorority, Incorporated
- Iota Phi Theta Fraternity, Incorporated
- American Civil Liberties Union – www.aclu.org
- Project Vote – www.projectvote.org
- Rainbow Push Coalition - www.rainbowpush.org
- AFL-CIO – www.aflcio.org
- National Coalition on Black Civic Participation www.ncbcp.org
- The National Lawyers Committee on Civil Rights www.lawyerscommittee.org
- The Leadership Conference on Civil and Human Rights www.civilrights.org
- Vote Latino - www.votolatino.com
- National Council of La Raza - www.nclr.org
- Rock The Vote - www.rockthevote.org



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Black Lives, Healing, and
US Social Transformation

FANIA E. DAVIS

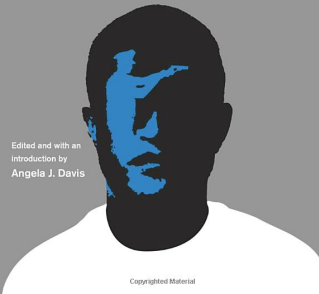


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Arrest, Prosecution, and Imprisonment



Edited and with an
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Angela J. Davis

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Code of the Street

Decency, Violence, and the
Moral Life of the Inner City



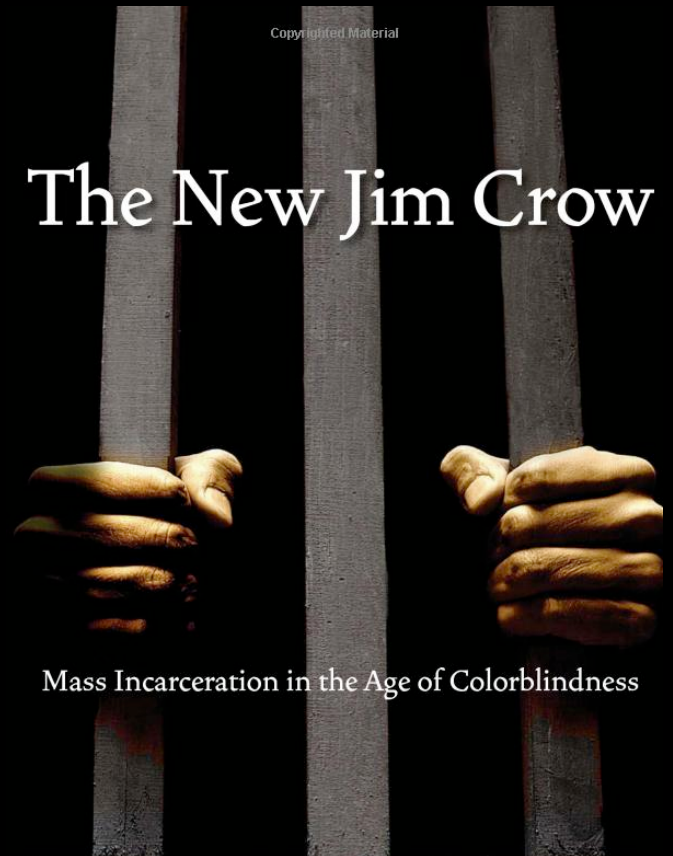
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Elijah
Anderson

—Ann Hagedorn, author of
This Ain't No Children's Book

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The New Jim Crow



Mass Incarceration in the Age of Colorblindness

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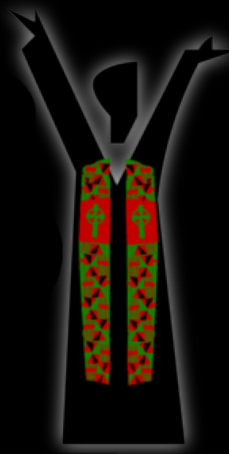


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VISITING WWW.SANDSJ.ORG/PULPITTOOLKIT.

MERCH FOR THE CHURCH

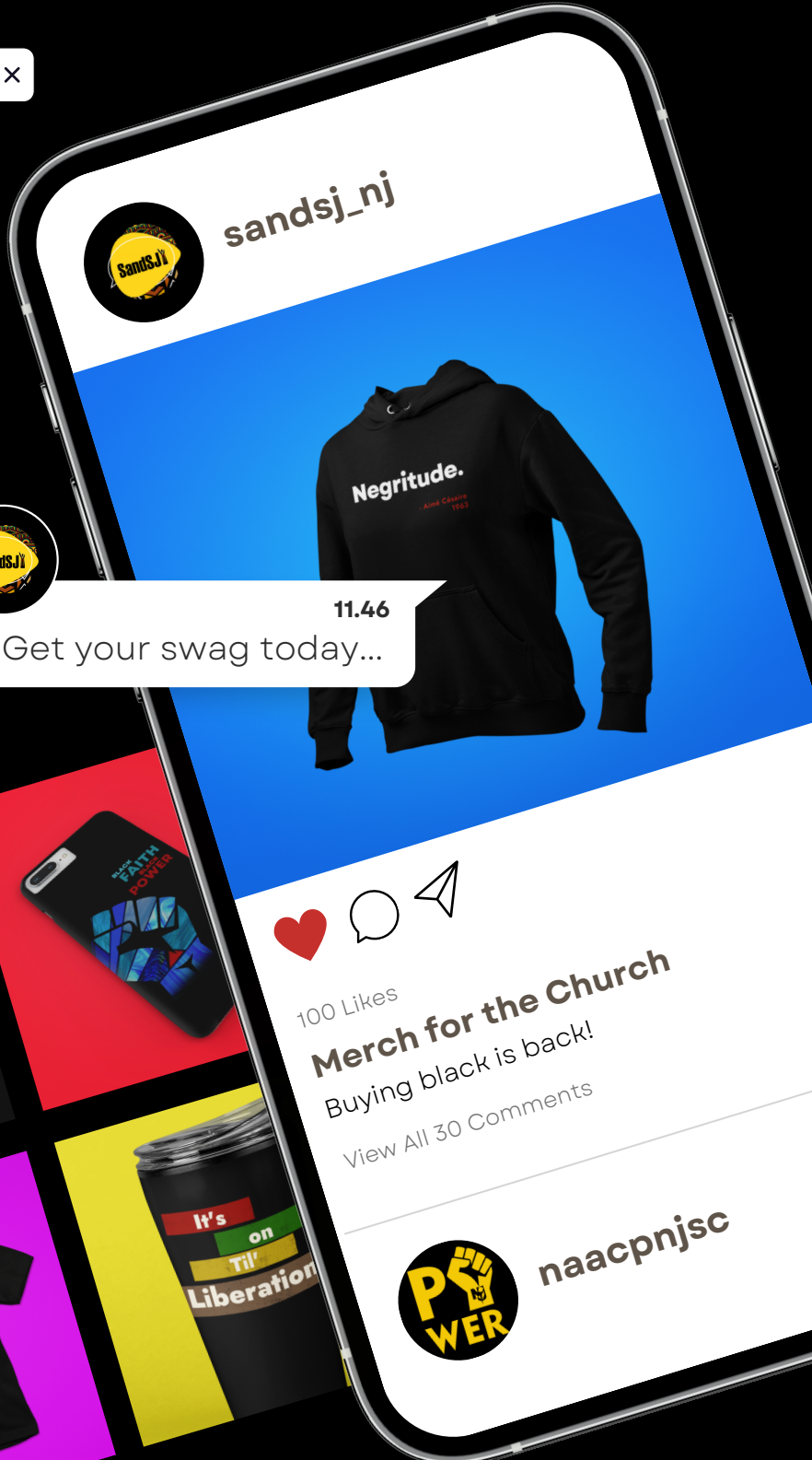
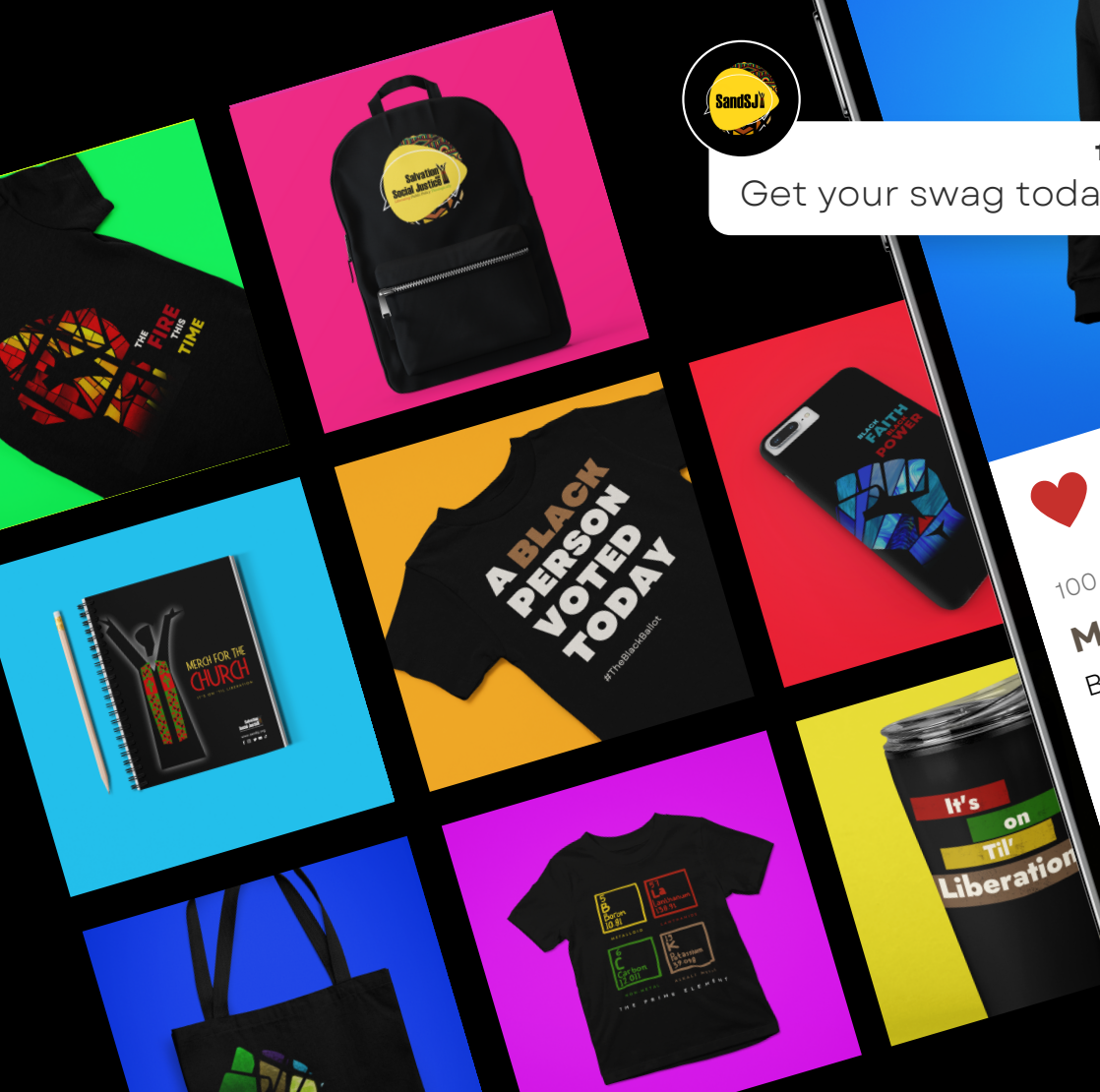
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