

Trenton Police Department – Pattern or Practice Investigation
U.S. Attorney Sellinger’s Remarks
17 October 2023

Good morning. I’m Philip Sellinger, United States Attorney for the District of New Jersey. Thank you for joining us today. And thank you Assistant Attorney General Clark for joining us to help protect the civil rights of Trenton residents.

Almost five weeks ago, I attended a town hall meeting with the community at the Greater Mt. Zion AMC Church, right here in Trenton.

One community member after another voiced concerns about how officers of the Trenton Police Department treat the people of Trenton. They raised concerns about excessive force. Concerns about stops and searches done for no good reason. They also put into words the impact that potentially unconstitutional policing can have on the community: a lack of trust in law enforcement—as well as fear. As one community member wrote in a note to us: “We[re] scared of the law because they don’t like us.”

To be sure, police officers have the difficult job of keeping us safe, and most do this work with honor and distinction. But if police officers abuse the trust the community places in them and fail to respect the constitutional rights of those in the community, and if the community feels threatened by those who wear the badge, those who are supposed to protect them, it undermines public safety and endangers the very citizens they swore to protect and serve.

The concerns about excessive force and unlawful stops and searches are real. Unfortunately, we have reviewed numerous reports that Trenton police officers may have used force inappropriately and in violation of individuals’ constitutional rights. For example, there are reports that:

- Trenton police officers used significant force on people stopped for minor traffic offenses who were obeying the officers’ instructions.

- That officers used force to retaliate against people who exercised their right to observe, to film interactions with police, and to question the police – These are constitutionally protected activities.
- And that officers inappropriately used force against individuals suffering mental health crises.

At times these uses of force caused very serious injuries.

In addition, there are numerous reports that Trenton Police Department officers routinely conduct stops and searches without any justifiable reason. No warrant or probable cause—just a stop and search. Oftentimes of minority residents. At times, these problematic stops escalated into problematic arrests, in some instances because the person being stopped simply wanted to know why.

Collectively, this information suggests that there may be ongoing constitutional violations with how members of the Trenton Police Department operate. That is why we are starting a civil rights investigation of the Trenton Police Department and the City of Trenton to determine whether there is a pattern or practice that deprives individuals of their rights. The reports of violations are not isolated to a particular unit or bureau within the Trenton Police Department; they run throughout the Trenton Police Department. Therefore, our investigation will focus on the Department as a whole and will examine the Trenton Police Department's systems for holding officers accountable for misconduct.

The decision to undertake an investigation like this is one that is not made lightly. Although the information gathered during our preliminary inquiry is concerning and warrants further investigation, let me be clear: we have an open mind. We intend to gather as much information as possible about the Trenton Police Department's conduct so that we can evaluate whether individuals' rights have been violated in a systematic way – whether the Trenton Police Department operates in a way that systematically has fundamental challenges operating constitutionally.

This review will be comprehensive. Our attorneys and staff will look at policies and records, body worn camera footage, and use of force data from the Trenton Police Department. We will interview people throughout the department, from police officers on patrol to their highest-level supervisors. Significantly, we will speak to members of the Trenton community—potential victims, witnesses, community leaders, and others—including those who shared their concerns with us at our Town Hall meeting last month. And we will observe firsthand how members of the Trenton Police Department interact with the public. Throughout the process, we will maintain an open dialogue with police department leadership, and we will consult on a regular and real time basis about how to address issues we may find.

To be clear — the object of a pattern and practice investigation is not to assign blame, but to help fix problems that may exist. Whatever our findings may be, our ultimate goal is to ensure that the people of Trenton are served by a police force that effectively fights crime while respecting the constitutional rights of every person — *every person* — they come into contact with.

My Office will strive to be partners in this process with the Trenton Police Department because we all want the same thing. We want to ensure there is constitutional policing in Trenton. We want to ensure that there is a solid foundation from which to build the public trust between the police and the community here in our Capital City that is so essential to effective law enforcement. And we want to insure that we continue to work together to combat violent crime, gun trafficking, and the distribution of illegal and deadly drugs, like fentanyl.

My Office's Civil Rights Division has a strong track record of working collaboratively with a police department to make improvements. A decade ago, the Newark Police Department was known as a department that engaged in systematic unconstitutional stops, searches, and arrests, and used excessive force. After an investigation like this one, we entered into a consent decree, and we have helped the Newark Police Department become a much better police department, with increased community engagement and oversight, the teaching of de-escalation techniques, and prohibited retaliatory force.

We *can* have, indeed we must have, a police department that effectively fights crime while at the same time protecting civil rights. Both are not only possible, but essential.. If the community is overrun by violence, no one can feel safe. But if the community is threatened by those who are sworn to protect them, then that too is destructive. Everyone who cares about Trenton; all of us—federal law enforcement, the Trenton Police Department, Trenton city officials, and the community members who make up this great city—can work together to create a strong foundation of public trust, and we can build a stronger Trenton.