



Governor Phil Murphy
The State House
P.O. Box 001
Trenton, NJ 08625

May 8, 2019

Dear Governor Murphy,

With a sincere desire for justice we respectfully request a meeting with you to address the shameful and explosive situation festering within the New Jersey Department of Education. It is our desire to help you resolve this horrendous issue and to begin to move the department and the state of New Jersey forward toward the civil rights agenda for our public schools that we know you want and support.

As you know, it was recently learned that a member of the New Jersey School Ethics Commission killed an unarmed black man in 2002. This shocking revelation only makes more absurd and deeply offensive the persecution by the Department of Education of a prominent and nationally respected school board member over the past year. This horrendous injustice and the zealous prosecution by the School Ethics Commission stands in stark contrast (although not unrelated) to the lethargic inaction and anemic timidity of the Department of Education in addressing the state's shameful and illegal school segregation crisis.

In 2003, former DEA officer Jude Tanella was indicted by the Brooklyn district attorney for shooting in the back and killing Mr. Egbert Dewgard. Today, Mr. Tanella is one of eight, all white, all male, all Republican appointed members of the New Jersey State Department of Education's School Ethics Commission. All are appointees of the former governor and all serve "at the pleasure" of the current governor.

It is inexcusable that such an individual is on a state body at all, let alone one that is charged with judging the ethical behavior and conflicts of interest of other public officials. But it is beyond comprehension that such a deeply conflicted and grossly discredited body would be charged with ruling on the motives and state of mind of a black female local elected official during her encounter with police officers at a traffic stop. The public became aware of this outrage after a report in a national news outlet of the unanimous decision by the School Ethics Commission to recommend the removal of Stephanie Lawson-Muhammad from a local school board for "racial bias" and her lack of "respect and deference" shown to police officers during a local traffic stop.

The decision by Tanella and the School Ethics Commission is part of a yearlong hit job on a black elected leader who is a known opponent of racial segregation and exclusion in her community and across the state of New Jersey. The deliberate character assassination began with the leaking of a police department's "dash cam" video of Ms. Lawson-Muhammad during a local traffic stop to her political opponents. This was followed by unrelenting and vicious attacks against Ms. Lawson-Muhammad and her political allies,

culminating in the prosecution of Ms. Lawson-Muhammad by Mr. Tanella and the School Ethics Commission, which called for her removal as a locally elected school board member.

It is not a coincidence that Ms. Lawson-Muhammad has been a courageous and vocal opponent of school segregation in the Maplewood-South Orange School District and in New Jersey. Last August, Ms. Lawson-Muhammad led a meeting of elected officials, parents, teachers, experts, ministers, and civil rights leaders with the Governor's senior policy and legislative staff to explore a meaningful solution for New Jersey's problem that both the Harvard and UCLA civil rights projects have called New Jersey's apartheid school system. In November, Ms. Lawson-Muhammad convened and chaired a public meeting with nearly 200 superintendents, legal scholars, NAACP leaders, teachers, parents, and local elected officials in Essex County to build grassroots support for meaningful desegregation efforts across the state of New Jersey. Just last week Ms. Lawson-Muhammad chaired a panel on school segregation in New Jersey alongside Minnesota attorney general Keith Ellison and prominent scholars at a national civil rights summit. At that same conference she was honored by congresswoman Bonnie Watson Coleman along with majority whip James Clyburn as a national civil rights leader.

No officials from the Department of Education, including the superintendent or any members of its Ethics Commission, attended any of these meetings on school segregation. Apparently the ethical and constitutional violation of maintaining and tolerating one of the most segregated school systems in the country does not reach the level of urgency that a mother driving over the speed limit and not showing proper "respect and deference" to the police does.

The reports of Mr. Tanella's indictment were so easily accessible that we cannot believe this Administration, any more than the last, was not aware of it. Today, both the Administration and the public are aware of Mr. Tanella's history, yet no action has been taken to rectify a profound injustice or to invalidate what has become a twisted and grotesque racist and sexist double standard.

It is high time for you to show some leadership and courage and intervene to end this bizarre episode. The governor, the commissioner of schools and legislative leadership have a moral, political and legal obligation to address the racial segregation of our schools that ruins lives, thwarts opportunity and violates our constitution. You and they do not have a constitutional obligation to persecute and remove elected school board members based on the deeply conflicted and flawed biases of eight unelected men. Here is what we believe is called for immediately.

- The ruling against Stephanie Lawson-Muhammad must be invalidated and repudiated.
- The commission must be disbanded and investigated for their known partisanship, conflicts of interests and investigated for any other instances of corruption, compromise and ethical violations. All rulings by this body under its current composition should be reviewed and/or invalidated.
- The entire episode leading to the public attack, political persecution and frivolous prosecution Ms. Lawson-Muhammad must be investigated. This must include:
 - The original traffic stop and the leaking of a police "dashcam" video to the press and to known opponents of the Maplewood-South Orange School Board.

- The original appointment of a hyper-partisan, deeply conflicted and morally compromised ethics commission by Governor Christie and the Department of Education.
- The failure of the Murphy administration to in any way review, scrutinize, investigate and make immediate changes to the personnel or to stop their partisan and vindictive investigation and prosecution of Ms. Lawson-Muhammad (despite having been alerted to this problem through a high-level official and despite how transparent and blatant some of the most clear and devastating conflicts of interest are—including explosive facts that would immediately disqualify one of these commissioners from serving on this commission at all—let alone presiding over and ruling over an ethics complaint involving a police traffic stop).
- A review of the culture of racism and political partisanship in the Department of Education must be conducted so that it is fully uprooted and purged.
 - The degree to which the department’s leadership (including the board and its commissions) is dominated by entrenched leadership from racially exclusionary school districts and communities is a problem that reveals a motivation for the stiff resistance to taking meaningful steps toward racial desegregation.
- The appointment of a commission to address the racial segregation of New Jersey schools made up of representatives from racially diverse districts - taking steps to exclude anyone with a financial or political stake in maintaining racially segregated schools.

We do not believe you have condoned or created this hypocritical injustice. But you are the governor, and until you act to right this terrible wrong, we must look to you and hold you responsible.

Please provide us with a time to meet with you to discuss and resolve this travesty and to begin to work for fair, equitable and integrated schools in New Jersey

Sincerely,

On behalf of the Board of Building One New Jersey, Building One America and the National Summit for Civil Rights Project.

Mike Kruglik
President - Building One America

Antionette Brevard and Paul Bellan-Boyer
Co-Chairs - Building One New Jersey Racial Justice Committee

Professor John C. Brittain
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CC: Commissioner Lamont Repollet
New Jersey Department of Education