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**The National Association for the Advancement of Colored People**

**-ORANGES & MAPLEWOOD UNIT-**

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April 19, 2019

Dr. Lamont Repollet, Commissioner of Education

PO Box 500

Trenton, New Jersey 08625

Dear Dr. L. Repollet, Commissioner of Education:

Our organization wishes to express our thoughts on matters pertaining to the decision rendered by New Jersey’s Schools Ethics Commission in: **Subject: Walter Fields v. Stephanie Lawson-Muhammad, South Orange-Maplewood Board of Education, Essex County School Ethics Commission Docket # 34-18.**

Our Unit has reviewed the findings and concur that the resolution adopted by the State’s School Ethics Commission on March 26, 2019 is an excessive penalty against the respondent (Ms. Stephanie Lawson-Muhammad). Our organization’s findings are based on previously issued decisions by the body (Ethics Commission) that although not analogous to the specifics of this matter were used to determine an “appropriate” penalty. **First, in I/M/O John Talty and Sharon Kight, Brick Township Board of Education, Docket No. C18-05, and C19-05 (C18C/C19-05\*). In this matter, the respondent had a back and forth with a resident, during a board meeting. At the end of the public session, the respondent went into the audience and approached the complainant in an aggressive manner and, “ . . either pointed her finger at him or pushed him .” “Evidence was also submitted that the respondent told the complainant she would get him and his organization”. The Commission found that the respondent’s actions were clearly private actions since they occurred during a break in the Board meeting and that she was not acting in her official Board capacity, since she was no longer engaged in the Board meeting.”** However, the Commission found that the respondent’s actions compromised the board of education because the actions hurt the integrity of the Board. As a result, the Commission imposed a **two-month suspension.** This decision was adopted by the Commissioner of Education.

The second legal foundation for the Commission’s finding was **Hyman v. Davenport, Docket No. C31-13, Moore et al. Page, Docket No. C28-13 Bailey v. Davenport et al., Docket C41-13,C42-13,C43-13,C44-13 and C45-13**. Again, the Commission believed that the respondent violated specific ethics and recommended a **60 (sixty) day suspension**. The recommendation was upheld by the Commissioner.

Lastly, the third legal case that was cited to justify the recommendation in the South Orange Maplewood matter, involved a Board of Education member who violated N.J.S.A. 18A12-24.1 when she solicited campaign contributions from school district employees, when she was in a position to directly or indirectly effect employees employment. The recommended penalty, was a **six-month suspension**. That was upheld by the Commissioner of Education. There is no doubt that the severity of the specifics provided in this citation warranted the six-month suspension.

Our organization therefore believes that difference standards are being applied

to the South Orange Maplewood matter. There is no doubt that the respondent’s

(Ms. Stephanie Lawson-Muhammad) behavior was questionable and irrational. The provided video illustrates that the police officer inquired whether the respondent was **“ . . . having a panic attack . . .”.** The respondent was no doubt upset by the evolving incident and was not accustomed to being in tense situations.

Our Unit is clearly sensitive to the dangers of “driving while Black”. The mysterious death of Ms. Sandra Bland in July 2015 (in Texas) no doubt has alarmed most sensitive and informed people of color. Being stopped by a police officer even in the diverse community of South Orange might unnerve

and create anxiety within a mother who was being distracted (exceeding the speed limit (doing 37 mph in a 25-mph zone).

In addition, the recently released “Force Report” outlined how often New Jersey police officers/departments used excessive force in the execution of their duties. From 2012 to 2016, the South Orange police force used excessive force at a higher rate that 385 other New Jersey police departments (on the high end). Knowing this information might make a South Orange resident of color unnerved and might alter their traditional behavior, having been stopped by a police officer.

Our Unit’s position on this matter should not be construed as a supporter of the behavior that was exhibited and displayed by Ms. Stephanie Lawson-Muhammad. Our Unit’s position is that the proposed recommendation against the respondent is excessive and does not rise to the level of penalty as exhibited by the historical and legal references within the domain of New Jersey’s Commission on Ethics. As such, the Oranges & Maplewood Unit of the NAACP recommends that your office should not support the recommendation of the State Ethics Commission on this matter (**Subject: Walter Fields v. Stephanie Lawson-Muhammad, South Orange-Maplewood Board of Education, Essex County School Ethics Commission Docket # 34-18.)**

Cc Governor P. Murphy

 Senator T. Ruiz

 Senator S. Turner

 Assemblywoman P. Lampitt

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