

Porzio, Bromberg & Newman Successfully Represents New Jersey State Association of Chiefs of Police in Paterson Supersession Case

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By: Vito Gagliardi, Jr., David Disler, Thomas Reilly

Porzio, Bromberg & Newman successfully represented the New Jersey State Association of Chiefs of Police as amicus curiae in a case challenging the Attorney General's supersession of the Paterson Police Department. The New Jersey Appellate Division ruled that the Attorney General exceeded his authority by taking control of the department without municipal consent.

The case stemmed from the Attorney General's response to an officer-involved shooting, which included appointing an Officer-in-Charge and reassigning the Paterson Police Chief. While Porzio did not dispute the Attorney General's decision to intervene, the firm argued that the actions taken were arbitrary and lacked statutory support.

The Appellate Division agreed, reversing the supersession, reinstating the Paterson Police Chief, and directing the Attorney General to return control of the department to the city.

"This ruling reaffirms the importance of statutory limits and the balance of power between state oversight and municipal authority," said Vito Gagliardi, Jr., who argued on behalf of the Chiefs. "We are proud to have fought for a just and lawful outcome in this significant case."

In addition to Gagliardi, David Disler and Tom Reilly led the Porzio team representing the State Association of Chiefs of Police.

The court's decision has been stayed for three business days to allow the Attorney General to seek emergent relief from the New Jersey Supreme Court, and an appeal has been announced.