



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
PO BOX 987
TRENTON, NJ 08646-0987
TELEPHONE: (609) 944-4300

PETER C. HARVEY
Attorney General

VALERIE L. MCKAY
Director

September 15, 2003

Hon. Kevin Sanders, Mayor
City of Asbury Park
One Municipal Plaza
Asbury Park, New Jersey 07712

Re: *Police Director L. Louis Jordan*

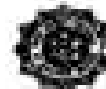
Dear Mayor Sanders:

Recently, the Monmouth County Prosecutor referred a criminal complaint concerning Police Director Jordan of the City of Asbury Park to this office for review. The primary purpose of our review was to determine whether the complaint against Mr. Jordan could be properly investigated and prosecuted by the county prosecutor. However, our review also led us to examine Mr. Jordan's duties and responsibilities and whether he was acting in a manner beyond the scope of his lawful authority as police director. Of particular concern to this office is the fact that Mr. Jordan has, as police director, arrested several individuals. Of further concern to this office is the fact that Mr. Jordan has conducted motor vehicle stops, responded to calls for service, signed juvenile delinquency and criminal complaints and directed the investigation of criminal activity by Asbury Park police officers.

In conducting our review, we took the opportunity to discuss this matter with the county prosecutor and your municipal attorney. We have also reviewed the relevant State statutes, case law and Asbury Park Ordinance No. 2616 (adopted October 16, 2002). Based on our review, we have determined that Mr. Jordan has acted in a manner contrary to the applicable State statutes and case law. More specifically, Mr. Jordan has engaged in activities for which he has no lawful authority and are limited by statute to sworn police officers. Thus, Mr. Jordan must immediately cease and desist from exercising powers and performing duties which are beyond his lawful authority.



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1 LAW OFFICES OF ROBERT L. TARVER, JR.
2 66 South Main Street
3 Toms River, New Jersey 08757
4 (732) 341-2152
5 Robert L. Tarver, Jr., Esq.
6 Attorney for Plaintiff, L. Louis Jordan

7 RUDERMAN & GLICKMAN, P.C.
8 675 Morris Avenue, Suite 100
9 Springfield, New Jersey 07081
10 (973) 467-5111
11 Steven S. Glickman, Esq.
12 Attorney for Plaintiff, City of Asbury Park

13 L. LOUIS JORDAN,
14 CITY OF ASBURY PARK
15 Plaintiffs,

16 vs.

17 THE HON. PETER C. HARVEY,
18 ATTORNEY GENERAL OF THE STATE
19 OF NEW JERSEY, in his official capacity,
20 Defendant

CITY OF ASBURY PARK
SUPERIOR COURT OF NEW JERSEY
MERCER COUNTY
RECEIVED AND FILED

MAR 20 2004

Dea. Regan
CIVIL ACTION
SUPERIOR COURT OF NEW JERSEY

SUPERIOR COURT OF NEW JERSEY
MERCER COUNTY, LAW DIVISION

Docket No. *JER L 801-04*

Civil Action

VERIFIED COMPLAINT FOR
INJUNCTIVE AND DECLARATORY
RELIEF

21 Plaintiffs, L. Louis Jordan ("Jordan"), Police Director of the City of Asbury Park and the
22 City of Asbury Park, (the "City") a body politic, having offices located at Municipal Plaza,
23 Asbury Park, New Jersey, by way of Complaint against the Defendant says:

24 **NATURE OF ACTION AND JURISDICTION**

25 1. This is an application for an order to show cause for injunctive and declaratory relief
against the Defendant, Attorney General Peter C. Harvey, in his official capacity,
wherein Plaintiffs seek an Order:

(a) Enjoining and restraining the Defendant from interfering with the Police

Verified Complaint for Injunctive/Declaratory Relief - 1

LAW OFFICES OF ROBERT L. TARVER, JR.
66 South Main Street
Toms River, New Jersey 08757
(732) 341-2152

PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY
DEFENDANT
BY: Dermot P. O'Grady
Deputy Attorney General
Department of Law and Public Safety
Division of Criminal Justice
P.O. Box 985
Trenton, New Jersey 08625
(609) 984-1445

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SUPERIOR COURT OF
MERCER COUNTY
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JUL 28 2004

[Signature]
JUL 28 2004
CLERK OF SUPERIOR COURT

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MERCER COUNTY
DOCKET NO. MER-1-0801-04

L. LOUIS JORDAN AND THE CITY OF
ASBURY PARK.

Plaintiffs,

v.

HON. PETER C. HARVEY, ATTORNEY
GENERAL OF NEW JERSEY,

Defendant.

Civil Action

ORDER

THIS MATTER having been opened to the Court by plaintiffs
L. Louis Jordan, Robert L. Tarver, Esq. appearing, and the City
of Asbury Park, Steven S. Clickman Esq. appearing, for the
purpose of obtaining injunctive and declaratory relief with
respect to plaintiff Jordan's duties as police director for the
Asbury Park Police Department; and

Plaintiffs having petitioned the Court to clarify the
relevant State statutes with respect to the powers and duties
of a police director and thus permit Mr. Jordan to exercise

CLERK

police powers and perform police duties during the execution of his supervisory and administrative responsibilities as police director for the Asbury Park Police Department; and

The Court, having considered the written argument submitted by plaintiffs in support of their petition for relief; and

The Court having also considered the written argument submitted by defendant Peter C. Harvey, Attorney General of New Jersey, Dermot P. O'Grady, Deputy Attorney General appearing, in opposition to plaintiffs' request for relief; and

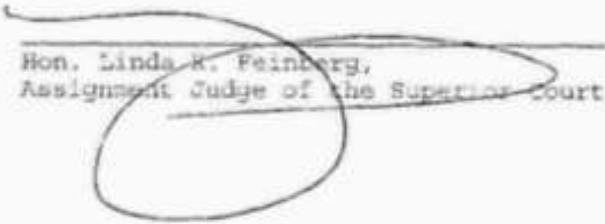
The Court having further considered the arguments advanced by counsel at a hearing which was conducted by the Court on May 18, 2004;

IT IS THIS 28th day of July, 2004, ORDERED that plaintiffs' request for injunctive and declaratory relief is DENIED and that declaratory judgment in favor of defendant is GRANTED.

IT IS ALSO ORDERED that plaintiff Jordan is prohibited from exercising police powers or performing police duties while acting as the police director of the Asbury Park Police Department.

IT IS FURTHER ORDERED that plaintiff Jordan may, as police director of the Asbury Park Police Department, perform supervisory duties and administrative responsibilities consistent with a written opinion issued by the Court in this

Walter on June 11, 2004.


Hon. Linda K. Feinberg,
Assignment Judge of the Superior Court