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Honorable Peter E. Doyne, A.J.S.C.
Superior Court of New Jersey
Bergen County Justice Center
Suite 425
Hackensack, N.J 07601-7699

(Via Electronic Transmission)

Re: Abbott v. Burke
Docket No. M-969/1372
Supplemental Brief of the New Jersey Black Issues Convention

Dear Judge Doyne:

Please accept this supplemental letter brief in lieu of a more formal submission with regard to the above matter.

The New Jersey Black Issues Convention (“NJBIC”) is a nonprofit corporation formed in 1983. NJBIC functions as a consortium of over 40 African American civil rights, labor, business, professional, foreign affairs, senior citizens, youth, social, educational, fraternal, artistic, urban policy research, women’s, and religious organizations. For over 25 years, NJBIC has addressed the public policy concerns of more than 1.25 million African American citizens in New Jersey.¹

NJBIC asserted, in its Supreme Court *amicus* brief (see attached NJBIC Amicus brief), the central argument that Abbott Districts remain racially isolated and poor, therefore requiring continued application of the Abbott remedies to meet the New Jersey constitutional requirement of a thorough and efficient education for all children. Data was submitted in that brief which supports the factual finding that there continues to be high concentrations of African American and Latino students in poor urban areas nearly 20 years after Abbott I. Here are key excerpts from the data: Camden’s minority school enrollment has increased from 95% of total student population in 1987 to 99% of the total student population in 2007. East Orange has gone from 99% in 1987 to 100% in

¹ NJBIC has appeared as an *Amicus Curiae* in Abbott litigation six previous times. (see NJBIC Motion for Leave to Participate as Amicus Curiae, May 15, 2008)

2007. Jersey City has gone from 94% in 1987 to 99.7% in 2007. (see attached NJBIC Amicus brief, Exhibit B)

Abbott II clearly identified poverty and racial isolation as critical conditions shared by the state's urban areas. (*Abbott II*, 119 N.J. 287, 392 (1990)). The Supreme Court, in *Abbott II*, stated its belief that correction of the severe education deficiencies existing in Abbott districts was an essential element of improving those conditions. (*Abbott II*, 119 N.J. at 392)

The State has presented *no* evidence at trial to refute the racial isolation data submitted via certification in NJBIC's original *Amicus* brief. Consequently, this Court must find as fact that high concentrations of poverty and racial isolation continue to exist in the state's Abbott districts. This single fact, clearly identified by the *Abbott II* Court as a crucial determinant in its analysis, is a most compelling reason to assure that the educational programs protected by the *Abbott* remedies are safeguarded.

Respectfully submitted,

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New Jersey Black Issues Convention

Enclosures

cc: Stephen W. Townsend, Clerk, NJ Supreme Court
Kevin R. Jespersen, DAG
Counsel for *Amici Curiae*