

Synopsis of the Testimony of Dr. Elmo Randolph

Dr. Elmo Randolph is a dentist of African American descent in New Jersey, who began his dental practice in 1983. He lived in Bergenfield, NJ, about 25 miles north east of his office which was in East Orange, NJ. He testified as a witness for the defense in the case of State v. Pedro Soto. We provide this synopsis of his testimony to save the reader the time it takes to read the portion of the transcripts of his testimony during that trial that we have provided.

In the Fall of 1984 Dr. Randolph bought a 1985 Gold BMW i325 with BBS 3 piece wheels. The car was lowered and was sporty. Shortly thereafter he began to be stopped about every other week on the New Jersey Turnpike, a road he took to get to his office. He continued to take the turnpike to work, because it would add about 20 minutes to the time it took him to get to work using any other route. He had the car 4 years and was stopped approximately a hundred times in that period.

During these stops, he was asked to open his trunk 10 to 15 times. He said that he normally gave permission to the officer to open his trunk because on one occasion when he did not, the officer went back to his patrol car and kept him there an extra 15 to 20 minutes. After that he gave permission for the officer to open his trunk if asked because if he didn't he would be late for work and spend his day apologizing to patients for being late.

When asked how he felt about this treatment, he said he "felt angry, unfairly put upon, angry".

He was often asked where he was going and he said to work. When asked what he did, he replied that he was a dentist. He recounted one occasion where he had told the officer he was a dentist and when the officer opened his trunk and found dental journals and magazines about dentistry, the officer said "Oh, you are a dentist."

During these numerous stops he was never given a citation or a written warning. He asked one of his patients, who was a lawyer, what he should do and she informed him that it was a waste of time to complain about or to the New Jersey State Police. Therefore, he never filed a law suit against the New Jersey State Police.

He was cross examined quite forcefully by the State of New Jersey, who maintained that none of the stops happened. Their justification for this position was that there were no records of his stops, that he had never complained about the stops to the N J State Police or the New Jersey Attorney General nor had he sued the State Police. He answered that the advice he had gotten was that it was a waste of time to complain.

Dr. Randolph later did become one of the plaintiffs in the civil suit against the State of New Jersey for the actions of the New Jersey State Police on the Turnpike.