

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 649

STATE OF NEW JERSEY

DATED: MARCH 14, 2022

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 649.

As reported by the committee, Assembly Bill No. 649 expands the purposes for which civil asset forfeiture funds may be used by a law enforcement agency.

A civil asset forfeiture proceeding is an action by the government seeking ownership of personal property either used as an instrumentality of a crime or the fruits of criminal activity. Under current law, forfeiture proceeds are required to be designated for the exclusive use of the law enforcement agency that contributed to the surveillance, investigation, arrest, or prosecution resulting in the forfeiture and are required to be used solely for a law enforcement purpose.

“Law enforcement purpose” is defined under current law, pursuant to Standard Operating Procedures established by the Attorney General, to mean: a purpose which is calculated to enhance a law enforcement agency’s ability to conduct criminal investigations, surveillance, arrests and prosecutions and to respond more fully to the effects of crime beyond any amounts allocated by the law enforcement agency’s annual budget. A law enforcement purpose includes expenditures to defray the costs of protracted or complex investigations; to educate the public in crime prevention techniques; to provide additional technical assistance or expertise, which may include the purchase of surveillance and undercover transportation and investigation equipment, and computer hardware and software to enhance the coordination and sharing of information among the law enforcement agencies of a county and the State; to provide matching funds to obtain Federal law enforcement enhancement grants; or for such other purposes as the Attorney General may from time to time authorize.

This bill codifies and expands the definition of “law enforcement purpose” to include promoting community outreach; providing diversity training for law enforcement officers; and establishing and implementing minority selection and recruitment programs.

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.