

STATEMENT TO
ASSEMBLY, No. 744

with Assembly Floor Amendments
(Proposed by Assemblyman JOHNSON)

ADOPTED: FEBRUARY 24, 2020

This bill requires a law enforcement agency prior to hiring a law enforcement officer who was previously employed by another law enforcement agency to request the officer's files, including internal affairs and personnel files, from the officer's previous employer. The law enforcement agency that receives the request would be required to submit the files to the agency that requests them.

These Assembly amendments expand the definition of law enforcement agency to also include interstate law enforcement agencies; a law enforcement agency of an educational institution; or any other department, division, bureau, commission, board, or other authority of this State or political subdivision thereof which employs law enforcement officers. Under the Assembly amendments, any confidential internal affairs files received by the law enforcement agency that requested them are to remain confidential and not be disclosed to any other party. The amendments also clarify that contracts entered into after the bill's enactment that would prohibit a law enforcement agency from providing an officer's files to another law enforcement agency are to be deemed against public policy and unenforceable.