

ASSEMBLY, No. 870

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

Assemblyman Holley

SYNOPSIS

Requires Director of Division of the Deaf and Hard of Hearing in DHS to evaluate and report on interactions occurring between law enforcement and individuals who are deaf or hard of hearing.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/8/2020)

1 AN ACT requiring the Director of the Division of the Deaf and Hard
2 of Hearing in the Department of Human Services to evaluate and
3 report on the nature of interactions occurring between law
4 enforcement and individuals who are deaf and hard of hearing.

5

6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8

9 1. a. Within six months after the enactment of this act, the
10 Director of the Division of the Deaf and Hard of Hearing in the
11 Department of Human Services shall evaluate and report on the
12 approach that is used by law enforcement when interacting with
13 individuals who are deaf or hard of hearing.

14 b. The evaluation conducted pursuant to this section shall
15 include a review of:

16 (1) the existing laws, rules, regulations, policies, procedures,
17 practices, and protocols that govern interactions between law
18 enforcement and individuals who are deaf or hard of hearing,
19 including, but not limited to, the laws, rules, regulations, practices,
20 policies, procedures, and protocols that are used by law
21 enforcement officers, in their street-level interactions with citizens
22 and offenders, to identify and appropriately communicate with
23 individuals who are deaf or hard of hearing; and the laws, rules,
24 regulations, practices, policies, procedures, and protocols that are
25 used by law enforcement officers when questioning, apprehending,
26 taking into custody, or incarcerating individuals who are deaf or
27 hard of hearing;

28 (2) the nature and extent of training in sign language that is
29 available to, or mandated for, law enforcement officers in the State;

30 (3) the nature and extent of training in de-escalation and crisis
31 management that is available to, or mandated for, law enforcement
32 in the State, particularly in regard to the de-escalation of situations
33 involving individuals who are deaf or hard of hearing;

34 (4) the availability and responsiveness of qualified interpreters
35 in law enforcement agencies and offices, and in the field;

36 (5) the treatment received by individuals who are deaf or hard of
37 hearing while in the custody of law enforcement;

38 (6) the nature, extent, and manner of resolution of any civil,
39 criminal, or administrative complaints that have been filed by
40 individuals who are deaf or hard of hearing, or by their family
41 members on their behalf, in relation to the individuals' interactions
42 with law enforcement; and

43 (7) any other subject matters or data that may be deemed by the
44 director to be relevant.

45 c. When conducting the evaluation pursuant to this section, the
46 director may consult with, and request appropriate data and
47 information from, the Department of Law and Public Safety, any
48 division thereof, and any State or local law enforcement agency or

1 office, as may be deemed to be necessary. The Department of Law
2 and Public Safety, each division thereof, and each State or local law
3 enforcement agency or office shall promptly provide any data or
4 information requested by the director for the purposes of this
5 section.

6 d. (1) Upon completion of the evaluation pursuant to this
7 section, the director shall prepare a written report that: (a)
8 describes the current nature of interactions occurring between law
9 enforcement and individuals who are deaf or hard of hearing; (b)
10 identifies existing laws, rules, regulations, policies, procedures,
11 practices, and protocols that govern interactions between law
12 enforcement and individuals who are deaf or hard of hearing; (c)
13 highlights specific areas where interactions between law
14 enforcement and individuals who are deaf or hard of hearing can or
15 should be improved; and (d) provides recommendations for
16 executive, legislative, or administrative actions to be undertaken, or
17 for policies, procedures, practices, or protocols to be implemented,
18 by the Governor, by the Legislature, by the Department of Law and
19 Public Safety, and by individual law enforcement agencies and
20 offices throughout the State, as may be necessary to improve law
21 enforcement officers' responsiveness to, ability to communicate
22 with, and overall treatment of, individuals who are deaf or hard of
23 hearing.

24 (2) The report prepared pursuant to this subsection shall be: (a)
25 submitted to the Governor and, pursuant to P.L.1991, c.164
26 (C.52:14-19.1), to the Legislature; (b) distributed to the Department
27 of Law and Public Safety, and to every law enforcement agency or
28 office in the State; and (c) published on the Internet website of the
29 Department of Human Services.

30
31 2. This act shall take effect immediately, and shall expire on
32 the 30th day following the distribution and publication of the report
33 required by subsection d. of section 1 of this act.

34

35

36

STATEMENT

37

38 This bill would require the Director of the Division of the Deaf
39 and Hard of Hearing in the Department of Human Services, within
40 six months after the bill's enactment, to evaluate and report on the
41 interactions that are occurring between law enforcement and
42 individuals who are deaf or hard of hearing.

43 The evaluation would include a review of: 1) the existing laws,
44 rules, regulations, policies, procedures, practices, and protocols that
45 govern interactions between law enforcement and individuals who
46 are deaf or hard of hearing; 2) the nature and extent of training in
47 sign language that is available to, or mandated for, law enforcement
48 officers in the State; 3) the nature and extent of training in de-

1 escalation and crisis management that is available to, or mandated
2 for, law enforcement in the State, particularly in regard to the de-
3 escalation of situations involving individuals who are deaf or hard
4 of hearing; 4) the availability and responsiveness of qualified
5 interpreters in law enforcement agencies and offices, and in the
6 field; 5) the treatment received by individuals who are deaf or hard
7 of hearing while in the custody of law enforcement; 6) the nature,
8 extent, and manner of resolution of any civil, criminal, or
9 administrative complaints that have been filed by individuals who
10 are deaf or hard of hearing, or by their family members on their
11 behalf, in relation to the individuals' interactions with law
12 enforcement; and 7) any other subject matters or data that may be
13 deemed by the director to be relevant.

14 The bill would authorize the director, when conducting the
15 evaluation, to consult with, and request appropriate data and
16 information from, the Department of Law and Public Safety, any
17 division thereof, or any State or local law enforcement agency or
18 office, as may be deemed to be necessary.

19 Upon completion of the evaluation, the director will be required
20 to prepare a written report that: 1) describes the current nature of
21 interactions occurring between law enforcement and individuals
22 who are deaf or hard of hearing; 2) identifies existing laws, rules,
23 regulations, policies, procedures, practices, and protocols that
24 govern interactions between law enforcement and individuals who
25 are deaf or hard of hearing; 3) highlights specific areas where
26 interactions between law enforcement and individuals who are deaf
27 or hard of hearing can or should be improved; and 4) provides
28 recommendations for executive, legislative, and administrative
29 actions to be undertaken, or for policies, procedures, practices, or
30 protocols to be implemented, by the Governor, by the Legislature,
31 by the Department of Law and Public Safety, and by individual law
32 enforcement agencies and offices throughout the State, as may be
33 necessary to improve law enforcement officers' responsiveness to,
34 ability to communicate with, and overall treatment of, individuals
35 who are deaf or hard of hearing.

36 The report would be submitted to the Governor and Legislature,
37 distributed to the Department of Law and Public Safety and every
38 law enforcement agency or office in the State, and published on the
39 Internet website of the Department of Human Services.

40 The bill would expire 30 days after the distribution and
41 publication of the report.