

ASSEMBLY, No. 1664

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

SYNOPSIS

Bars the disclosure of personal identifying information of grand jury witnesses except for name; creates a fourth degree offense for attorney disclosure.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the discovery of certain grand jury records and
2 supplementing Title 2B of the New Jersey Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. Except as provided in subsection b. of this section, the
8 court shall, in connection with an application for discovery of grand
9 jury transcripts, issue a protective order barring the disclosure of
10 personal identifying information of any witness except for the name
11 of the witness, whose testimony is transcribed in the grand jury
12 transcript, or whose personal identifying information is contained in
13 evidence submitted to the grand jury.

14 b. An attorney for a party in a civil action or for a defendant in a
15 criminal matter arising out of a grand jury proceeding seeking
16 discovery of grand jury testimony contained in a grand jury
17 transcript or grand jury records shall, notwithstanding the
18 provisions of subsection a. of this section, have access to the
19 personal identifying information barred from discovery by that
20 subsection.

21 An attorney who shall purposely, knowingly, or recklessly
22 disclose the personal identifying information of any witness whose
23 testimony is transcribed in the grand jury transcript or who
24 submitted evidence to the grand jury except for the name of the
25 witness, commits a crime of the fourth degree.

26 As used in this section, “personal identifying information” means
27 a name, number, or other information that may be used, alone or in
28 conjunction with any other information, to identify a specific
29 individual and includes, but is not limited to, the name, address,
30 telephone number, date of birth, Social Security number, official
31 State issued identification number, employer or taxpayer number,
32 place of employment, employee identification number, demand
33 deposit account number, savings account number, credit card
34 number, mother's maiden name, or unique electronic identification
35 number, address, or routing code of the individual.

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37 2. This act shall take effect immediately.

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STATEMENT

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42 This act bars the disclosure of personal identifying information
43 of any witness except for the name of the witness, whose testimony
44 is transcribed in a grand jury transcript, or who submitted evidence
45 to the grand jury. The bar does not apply to an attorney for a party
46 in a civil action or for a defendant in a criminal matter arising out of
47 a grand jury seeking discovery of grand jury testimony contained in
48 a grand jury transcript or grand jury records. However, under the

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1 bill, an attorney who shall purposely, knowingly, or recklessly
2 disclose the personal identifying information of any witness whose
3 testimony is transcribed in the grand jury transcript or who
4 submitted evidence to the grand jury, except for the name of the
5 witness, commits a crime of the fourth degree. A crime of the
6 fourth degree is punishable by up to 18 months imprisonment, a
7 fine of up to \$10,000, or both.