

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 2394

STATE OF NEW JERSEY 219th LEGISLATURE

DATED: AUGUST 28, 2020

SUMMARY

Synopsis:	Requires law enforcement agencies in this State to establish minority recruitment and selection programs; establishes reporting requirement.
Type of Impact:	Annual State and local government expenditure increases.
Agencies Affected:	Department of Law and Public Safety; county and municipal law enforcement agencies

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2021 & Thereafter</u>
State Cost Increase	Indeterminate
Local Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) finds the bill will result in annual expenditure increases for the State and local governments, but the costs to implement, monitor, and report on minority and female recruitment and selection programs to meet the requirements of this bill are indeterminate. The OLS does not have specific information concerning the guidelines the Attorney General may promulgate to ensure uniform application of the bill's provisions by law enforcement agencies in the State or how the office will enforce the requirements of this bill.
- Additionally, it is unknown whether and to what extent State, county, and municipal law enforcement agencies may currently comply with the bill's requirements. A law enforcement agency that has an existing program similar to that proposed in this bill will presumably incur fewer costs to meet the bill's requirements.

BILL DESCRIPTION

This bill requires each State, county, and municipal law enforcement agency to establish a minority recruitment and selection program in accordance with guidelines issued by the Attorney General.

Under the bill, the law enforcement agency is to make a good faith effort to meet specific goals for recruiting and hiring minorities and females within established time frames. The program is to include methods of evaluating whether these goals are met and provide for additional contingent measures to be taken if the agency fails to meet its specific goals. The bill requires each law enforcement agency to post the minority recruitment and selection program on the agency's official website.

The county prosecutors are responsible for monitoring the results of programs established by county and municipal law enforcement agencies. The Attorney General is responsible for monitoring the results of the programs established by the Division of State Police, in consultation with the respective commissioner of any other State department that maintains a law enforcement agency. The bill requires the Attorney General to annually report to the Governor and the Legislature a summary of the results of the State, county, and municipal programs and to post this information on the Department of Law and Public Safety's website. The bill also establishes reporting requirements concerning the overall diversity of the law enforcement agencies throughout the State.

The county prosecutor is required by the bill to forward this information to the Attorney General. The Attorney General is required to collect, gather, assemble, and collate the information forwarded by the county prosecutors and the information concerning State law enforcement agencies, including the Division of State Police, into an annual report to be reported to the Governor, President of the Senate, and Speaker of the General Assembly. The bill also requires this information to be posted on the official website of the Department of Law and Public Safety. Each State, county, and municipal law enforcement agency is required to also publish this information in its annual report.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the bill will result in annual expenditure increases for the State and local governments, but the costs to implement, monitor, and report on minority and female recruitment and selection programs to meet the requirements of this bill are indeterminate. The OLS does not have specific information concerning the guidelines the Attorney General may promulgate or how the office will enforce the requirements of this bill; therefore, the OLS cannot determine the costs associated with the bill.

The OLS also does not know whether or to what extent State, county, and municipal law enforcement agencies may currently comply with the bill's requirements. Annually, the Division of State Police provides employee ethnicity and gender data to the Senate and Assembly budget committees at the request of the OLS and committee members. Additionally, the NJ Uniform Crime Report, issued by the Division of State Police, provides employee data, including gender information, for State, county, and municipal law enforcement agencies.

It is unknown whether any New Jersey law enforcement agencies currently have recruitment procedures to increase employment of minorities and women. Research indicates that the recruitment of minorities and women into law enforcement positions has been an ongoing concern of law enforcement agencies nationwide. In order to comply with this legislation, law enforcement

agencies may consult with the “*Law Enforcement Recruitment Toolkit*” published by the U.S. Department of Justice and the International Association of Chiefs of Police in 2009. The toolkit established guidelines for law enforcement agencies recruiting minority and women police officers.

The Bureau of Justice Statistics, in the U.S. Department of Justice, released a survey reflecting that the total number of sworn police officers at more than 12,000 local departments across the US in 2013 was 477,000. The survey showed that the total percentage of minority officers nationally has increased, rising to 27.3 percent in 2013 compared to 25.3 percent in 2007; this increase is specifically linked to growing numbers of both Hispanic and Asian officers. The percentage of Hispanic officers rose from 10.3 percent in 2007 to 11.6 percent in 2013, almost equal to the percentage of African American officers nationwide. The percentage of African American officers as a share of the total number of police remained flat at about 12 percent.

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).