

ASSEMBLY, No. 3312

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman GREGORY P. MCGUCKIN

District 10 (Ocean)

Assemblyman JOHN CATALANO

District 10 (Ocean)

SYNOPSIS

Extends Class Two special law enforcement training for time deployed.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning Class Two special law enforcement training
2 and amending P.L.1985, c.439.

3

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

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7 1. Section 4 of P.L.1985, c.439 (C.40A:14-146.11) is amended to
8 read as follows:

9 4. a. A person shall not commence the duties of a special law
10 enforcement officer unless the person has successfully completed a
11 training course approved by the commission and a special law
12 enforcement officer shall not be issued a firearm unless the officer has
13 successfully completed the basic firearms course approved by the
14 commission for permanent, regularly appointed police and annual
15 requalification examinations as required by subsection b. of section 7
16 of P.L.1985, c.439 (C.40A:14-146.14). There shall be three
17 classifications for special police officers. The commission shall
18 prescribe by rule or regulation the training standards to be established
19 for each classification. Training may be in a commission approved
20 academy or in any other training program which the commission may
21 determine appropriate. The classifications shall be based upon the
22 duties to be performed by the special law enforcement officer as
23 follows:

24 (1) Class One. Officers of this class shall be authorized to perform
25 routine traffic detail, spectator control, and similar duties. If authorized
26 by ordinance or resolution, as appropriate, Class One officers shall
27 have the power to issue summonses for disorderly persons and petty
28 disorderly persons offenses, violations of municipal ordinances, and
29 violations of Title 39 of the Revised Statutes. The use of a firearm by
30 an officer of this class shall be strictly prohibited and a Class One
31 officer shall not be assigned any duties which may require the carrying
32 or use of a firearm.

33 (2) Class Two. Officers of this class shall be authorized to
34 exercise full powers and duties similar to those of a permanent,
35 regularly appointed full-time police officer. The use of a firearm by an
36 officer of this class may be authorized only after the officer has been
37 fully certified as successfully completing training as prescribed by the
38 commission.

39 (3) Class Three. Officers of this class shall be authorized to
40 exercise full powers and duties similar to those of a permanent,
41 regularly appointed full-time police officer while providing security at
42 a public or nonpublic school or a county college on the school or
43 college premises during hours when the public or nonpublic school or
44 county college is normally in session or when it is occupied by public
45 or nonpublic school or county college students or their teachers or

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 professors. While on duty in the jurisdiction of employment, an
2 officer may respond to offenses or emergencies off school or college
3 grounds if they occur in the officer's presence while traveling to a
4 school facility or county college, but an officer shall not otherwise be
5 dispatched or dedicated to any assignment off school or college
6 property.

7 The use of a firearm by an officer of this class shall be authorized
8 pursuant to the provisions of subsection b. of section 7 of P.L.1985,
9 c.439 (C.40A:14-146.14). An officer of this class shall not be
10 authorized to carry a firearm while off duty unless the officer complies
11 with the requirements set forth in subsection l. of N.J.S.2C:39-6
12 authorizing a retired law enforcement officer to carry a handgun.

13 b. The commission may, in its discretion, except from the
14 requirements of this section any person who demonstrates to the
15 commission's satisfaction that the person has successfully completed a
16 police training course conducted by any federal, state or other public
17 or private agency, the requirements of which are substantially
18 equivalent to the requirements of **[this act]** P.L.1985, c.439.

19 c. The commission shall certify officers who have satisfactorily
20 completed training programs and issue appropriate certificates to those
21 officers. The certificate shall clearly state the category of certification
22 for which the officer has been certified by the commission.

23 d. All special law enforcement officers appointed and in service
24 on the effective date of **[this act]** P.L.1985, c.439 may continue in
25 service if within 24 months of the effective date of **[this act]**
26 P.L.1985, c.439 they will have completed all training and certification
27 requirements of **[this act]** P.L.1985, c.439.

28 e. A person who is certified as having successfully completed a
29 training course for Class Two special law enforcement officers
30 approved by the commission pursuant to subsection a. of this section
31 shall be eligible for appointment for three years from the date that the
32 course was completed. In the case of a member of the United States
33 military, this three-year period shall be extended by the amount of time
34 the member was deployed into active service, provided that the
35 member completes any additional training that may be required by the
36 commission. For the purposes of this subsection, "military" means the
37 armed forces of the United States, including the Army, Navy, Air
38 Force, Marine Corps, and Coast Guard, the National Guard and any
39 other reserve component of the armed forces, and the merchant marine
40 when organized under the federal law as a public military force.

41 (cf: P.L.2016, c.68, s.2)

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43 2. This act shall take effect immediately.

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46 STATEMENT

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48 This bill extends the three-year time period during which a

1 member of the United States military who had completed Class
2 Two special law enforcement officer training could be appointed to
3 a police department without retaking the training by the amount of
4 time that the member was deployed into active service.

5 The bill defines “military” as the armed forces of the United
6 States, including the Army, Navy, Air Force, Marine Corps, and
7 Coast Guard, the National Guard and any other reserve component
8 of the armed forces, and the merchant marine when organized under
9 the federal law as a public military force.

10 Under current law, municipalities are authorized to appoint a
11 limited number of part-time special law enforcement officers to
12 supplement their regular police forces. Many shore communities
13 hire these officers during seasonal summer periods. Class Two
14 special law enforcement officers are empowered to exercise full
15 police powers and perform the duties of a permanent, regularly
16 appointed full-time police officer. They also are authorized to carry
17 a firearm.

18 Under Police Training Commission policy, a person who
19 completes the Class Two special law enforcement basic police
20 officer training program is certified for appointment to a police
21 department for three years. A trainee who does not receive an
22 appointment within those three years is required to retake the
23 course. Under this bill, in the case of a trainee who is a member of
24 the United States military, the certification period would be
25 automatically extended for the amount of time that the trainee spent
26 being deployed in active service.