

ASSEMBLY, No. 3763

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Clarifies that data collected by courts for recidivism research shall contain no personal identifying information.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning data about recidivism among the probation
2 population and amending P.L.2015, c.144.

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 2 of P.L.2015, c.144 (C.2C:45-6) is amended to read
8 as follows:

9 2. a. The Administrative Director of the Courts shall establish
10 a program to record and analyze the recidivism of all persons
11 sentenced to a period of probation pursuant to N.J.S.2C:43-2 and
12 N.J.S.2C:45-1 et seq. The purpose of this program shall be to assist
13 in measuring the effectiveness of the State's rehabilitation initiatives
14 and programs.

15 b. The program shall record data regarding types of crimes
16 committed by offenders that result in a sentence of probation, the
17 arrests for all offenses committed by probationers within three years
18 following their sentence of probation and any convictions resulting
19 from the arrests, crimes committed while on probation, the number
20 of repeat offenders and the number of probationers concurrently
21 serving a parole sentence. These data shall be analyzed to
22 determine whether the rates and nature of rearrests and convictions
23 differ according to the criminal histories and personal
24 characteristics of probationers, the treatment they received during
25 the period of probation, participation and involvement in
26 rehabilitation initiatives and programs, and such other factors as
27 may be relevant to the purposes of this section, including, but not
28 limited to, race, gender, ethnicity, and age, but without referencing
29 personal identifying information. As used in this act "personal
30 identifying information" means any name, number, or other
31 information that may be used, alone or in conjunction with any
32 other information, to identify a specific individual and includes, but
33 is not limited to, the name, address, telephone number, date of birth,
34 social security number, official State issued identification number,
35 employer or taxpayer number, place of employment, employee
36 identification number, demand deposit account number, savings
37 account number, credit card number, mother's maiden name, unique
38 biometric data, such as fingerprint, voice print, retina or iris image
39 or other unique physical representation, or unique electronic
40 identification number, address or routing code of the individual.

41 c. The Administrative Director of the Courts shall prepare and
42 disseminate to the public annual reports summarizing the recidivism
43 rates, patterns, and other findings and analyses resultant of the
44 information gathered pursuant to this section. These reports shall
45 include summaries of the treatment received by the probationers

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 and shall make recommendations concerning the effectiveness of
2 the rehabilitation initiatives and programs. These reports shall be
3 available to the general public and shall not contain personally
4 identifying information. To facilitate the accessibility of these
5 reports to the general public, the administrative director shall, to the
6 greatest extent possible, utilize the Internet.

7 d. The Administrative Director of the Courts shall annually
8 prepare and transmit to the Governor and the Legislature, pursuant
9 to section 2 of P.L.1991, c.164 (C.52:14-19.1), the reports prepared,
10 along with any recommendations the Administrative Office of the
11 Courts may have for legislation to improve the effectiveness of the
12 State's rehabilitation initiatives and programs.
13 (cf: P.L.2015, c.144, s.2)

14
15 2. This act shall take effect immediately and shall be
16 retroactive to November 9, 2016.

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19 STATEMENT

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21 This bill amends recently enacted N.J.S.A.2C:45-6 to clarify that
22 data collected and analyzed by the Administrative Office of the
23 Courts pursuant to a program to record and analyze recidivism rates
24 for certain adults shall contain no reference to the personal
25 identifying information. Under the bill "personal identifying
26 information" means any name, number, or other information that
27 may be used, alone or in conjunction with any other information, to
28 identify a specific individual and includes, but is not limited to, the
29 name, address, telephone number, date of birth, social security
30 number, official State issued identification number, employer or
31 taxpayer number, place of employment, employee identification
32 number, demand deposit account number, savings account number,
33 credit card number, mother's maiden name, unique biometric data,
34 such as fingerprint, voice print, retina or iris image or other unique
35 physical representation, or unique electronic identification number,
36 address or routing code of the individual.

37 N.J.S.A. 2C:45-6, enacted as section 2 of P.L. 2015, c.144, takes
38 effect on November 9, 2016 so this bill would also take effect on
39 that date.