

ASSEMBLY, No. 4283

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 18, 2020

Sponsored by:

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

SYNOPSIS

Makes law enforcement disciplinary records accessible as government record.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/18/2020)

1 **AN ACT** concerning the disclosure of law enforcement disciplinary
2 records, and supplementing P.L.1963, c.73 (C.47:1A-1 et seq.).

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

1. a. Notwithstanding the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.) or any other law to the contrary, the disciplinary records of any law enforcement officer shall be considered a government record and shall be made available for public access.

At no time shall records containing personal information pertaining to the law enforcement officer, the complainant or the complainant's family, including, but not limited to, a home address, home telephone number, work or school address, work telephone number, social security account number, medical history or any other identifying information, be accessible as a government record.

17 b. As used in this section:

18 "Law enforcement officer" means any person who is employed as
19 a permanent full-time member of a law enforcement agency, and who
20 is statutorily empowered to act for the detection, investigation, arrest,
21 and conviction of persons violating the criminal laws of this State
22 and statutorily required to successfully complete a training course
23 approved, or certified as being substantially equivalent to the
24 approved course, by the Police Training Commission pursuant to
25 P.L.1961, c.56 (C.52:17B-66 et seq.).

c. Law enforcement disciplinary records shall include any record created in furtherance of a law enforcement disciplinary proceeding, including, but not limited to:

- (1) the complaints, allegations, and charges;
- (2) the name of the officer complained of or charged;
- (3) the transcript of any disciplinary trial or hearing, including any exhibits introduced at such trial or hearing;
- (4) the disposition of any proceeding; and
- (5) the final written opinion or memorandum supporting the disposition and discipline imposed including the agency's complete factual findings and its analysis of the conduct and appropriate discipline of the covered officer.

39 2. This act shall take effect immediately.

STATEMENT

44 Under current law, law enforcement disciplinary records are not
45 accessible as a government record. Under this bill, the records will
46 be considered a government record, and accessible under the law
47 commonly referred to as the open public records act.

1 Under this bill, and under current law, the personal information
2 pertaining to the law enforcement officer, the complainant or the
3 complainant's family, will not be accessible as a government record.
4 Under the bill, law enforcement disciplinary records includes, but
5 is not limited to: the complaints, allegations, and charges; the name
6 of the officer complained of or charged; the transcript of any
7 disciplinary trial or hearing, including any exhibits; the disposition
8 of any proceeding; and the final written opinion or memorandum
9 supporting the disposition and discipline imposed including the
10 agency's complete factual findings and its analysis of the conduct
11 and appropriate discipline of the covered officer.