

ASSEMBLY, No. 4450

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JULY 23, 2020

Sponsored by:

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires online portal to report law enforcement officer misconduct; establishes duty to report by law enforcement officers.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/23/2020)

1 AN ACT concerning the establishment of an online portal to report
2 law enforcement officer misconduct and supplementing Title 52
3 of the Revised Statutes.

4

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

7

8 1. For the purposes of P.L. , c. (C.) (pending before
9 the Legislature as this bill):

10 “Criminal offense” means an act which constitutes a first,
11 second, third, or fourth degree crime, a disorderly persons offense,
12 and a petty disorderly persons offense.

13 “Law enforcement officer” means a person whose public duties
14 include the power to act as an officer for the detection,
15 apprehension, arrest, and conviction of offenders against the laws of
16 this State.

17

18 2. a. The Attorney General shall create, maintain, and update,
19 as appropriate, an online portal, in the form of an Internet website,
20 to be used by law enforcement officers to report certain actions of
21 other law enforcement officers in accordance with subsections b.
22 and c. of this section.

23 b. Notwithstanding and in addition to any other reporting
24 requirements set forth in law, regulation, or policy, a law
25 enforcement officer who observes any of the following actions
26 committed by another law enforcement officer is required to report
27 the action within 72 hours to the Attorney General using the online
28 portal established in subsection a. of this section:

29 (1) unjustifiable use of force, pursuant to the provisions of
30 N.J.S.2C:3-7;

31 (2) deprivation of civil rights, pursuant to section 2 of P.L. 2003,
32 c.3 (C.2C:30-6); or

33 (3) any other act which constitutes a criminal offense in this
34 State.

35 c. Notwithstanding and in addition to any other reporting
36 requirements set forth in law, regulation, or policy, a law
37 enforcement officer who observes another law enforcement officer
38 committing an act that does not constitute a criminal offense, but
39 violates any policy or other regulation to which the other law
40 enforcement officer is subject, may report the action to the Attorney
41 General using the online portal established in subsection a. of this
42 section.

43 d. The portal shall operate so that submission of a report may be
44 completed anonymously. In the case of an anonymous submission,
45 the portal shall create an identifier using a series of random
46 characters in place of the personal identifying information of the
47 reporting law enforcement officer.

3. This act shall take effect on the first day of the third month next following the date of enactment, except the Attorney General may take any anticipatory action as may be necessary for the implementation of this act.

STATEMENT

This bill requires the Attorney General to create, maintain, and update, as appropriate, an online portal, in the form of an Internet website, to be used by law enforcement officers to report the misconduct of other law enforcement officers.

The bill provides that, in addition to any other reporting requirements set forth in law, regulation, or policy, a law enforcement officer who observes any of the following actions committed by another law enforcement officer would be required to report the action to the Attorney General using the online portal established in the bill:

(1) unjustifiable use of force, pursuant to the provisions of N.J.S.2C:3-7;

(2) deprivation of civil rights, pursuant to section 2 of P.L. 2003, c.3 (C.2C:30-6); or

(3) any other act which constitutes a criminal offense in this State.

Additionally, the bill provides that a law enforcement officer who observes another law enforcement officer committing an act that does not constitute a criminal offense, but violates any policy or other regulation to which the other law enforcement officer is subject, may use the portal to report the act to the Attorney General. The bill also provides that the portal is required to operate so that submission of a report may be completed anonymously. In the case of an anonymous submission, the portal would create an identifier using a series of random characters in place of the personal identifying information of the reporting law enforcement officer.