ASSEMBLY COMMUNITY DEVELOPMENT AND AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4468

STATE OF NEW JERSEY

DATED: AUGUST 24, 2020

The Assembly Community Development and Affairs Committee reports favorably Assembly Bill No. 4468.

This bill requires de-escalation and intervention training for law enforcement officers in this State and establishes accomplice liability when law enforcement officers fail to de-escalate and intervene when another law enforcement officer commits an offense.

Current law provides that a person can be guilty of an offense committed by another person under certain circumstances, such as by being an accomplice. A person is an accomplice when he or she has a legal duty to prevent the commission of a crime, but fails to make the proper effort to prevent the commission of that crime.

The bill specifically requires every law enforcement officer in this State to receive four hours of in-service training on de-escalation and intervention every three years.

Under the bill, a law enforcement officer is deemed to have the duty to prevent the commission of an offense by another law enforcement officer by deescalating and intervening in a confrontation between the other law enforcement officer and a citizen. The bill specifies that a law enforcement officer who fails to make the proper effort to de-escalate and intervene in the confrontation is an accomplice to the offense committed by the other officer.

This bill is intended to make criminally culpable those law enforcement officers at a scene of a confrontation between a law enforcement officer and a citizen who do not intervene to prevent the other officer from committing a crime against that citizen.