ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5755

STATE OF NEW JERSEY

DATED: JUNE 9, 2021

The Assembly Women and Children Committee reports favorably Assembly Bill 5755.

This bill requires the Corrections Ombudsperson to review criminal investigations under certain circumstances to ensure the investigation was accurate, unbiased, and thorough.

Under the bill, in order to determine whether a criminal investigation conducted by the Department of Corrections or the Special Investigations Division was accurate, unbiased, and thorough, the ombudsperson is required to inspect, examine, and analyze all aspects of the criminal investigation including, but not limited to:

- the manner in which the investigation was conducted and whether the investigation adhered to best practices and appropriate standards;
- evidence contained in the investigatory file; and
- any other information contained in the investigatory file deemed appropriate by the ombudsperson.

The bill provides an exception for ongoing investigations.

Under current law, the ombudsperson is prohibited from inspecting, examining, or assessing Prison Rape Elimination Act investigations; other information, records, or investigations deemed confidential by the Special Investigations Division of the department; and the Special Investigations evidence room. This bill eliminates these prohibitions.

Finally, under the bill, the ombudsperson is required to provide information to the inmate who submitted the complaint regarding the status of the inspection, examination, or assessment of the criminal investigation and an estimate for when the inspection, examination, or assessment will be complete.