

**ASSEMBLY CONCURRENT
RESOLUTION No. 187**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JULY 9, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Co-Sponsored by:

Assemblymen McGuckin and Catalano

SYNOPSIS

Urges NJ Attorney General to negotiate with law enforcement unions and modify law enforcement directive that allows public disclosure of identities of all officers who committed serious disciplinary violations in the past.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/9/2020)

1 **A CONCURRENT RESOLUTION** urging the New Jersey Attorney
2 General to negotiate with law enforcement unions and modify
3 the law enforcement directive that allows disclosure of the
4 identities of all officers who committed serious disciplinary
5 violations in the past.
6
7 **WHEREAS**, The New Jersey Attorney General issued a Law
8 Enforcement Directive on June 15, 2020 requiring all law
9 enforcement agencies in the State to begin publicly identifying
10 officers who commit serious disciplinary violations; and
11 **WHEREAS**, Under the directive, going forward every State, county,
12 and local law enforcement agency in this State is required to
13 annually publish a list of officers who were fired, demoted, or
14 suspended for more than five days due to a disciplinary violation,
15 with the first list to be published no later than December 31, 2020;
16 and
17 **WHEREAS**, The directive also permits law enforcement agencies to
18 identify officers who have committed serious disciplinary violations
19 in the past and provides that the New Jersey State Police, the
20 Division of Criminal Justice, and the Juvenile Justice Commission
21 will publish the names of any officers who have been subject to
22 serious discipline by July 15, 2020; and
23 **WHEREAS**, According to the directive, the New Jersey State Police,
24 which has published annual reports since 2000 summarizing
25 incidents of major discipline which do not disclose the identities of
26 the State Troopers, intends to update these annual reports with the
27 names of the State Troopers by July 15, 2020; and
28 **WHEREAS**, As a result, a list of all State Troopers who have
29 committed serious disciplinary violations over the past 20 years
30 will be published; and
31 **WHEREAS**, The Jersey City Police Officers Benevolent Association,
32 the New Jersey State Policemen's Benevolent Association, the New
33 Jersey State Fraternal Order of Police, the State Troopers Fraternal
34 Association, the State Troopers NCO Association of New Jersey,
35 and the State Troopers Superior Officers Association, have urged
36 the New Jersey Attorney General to reverse his decision to release
37 the names of the State Troopers who have been disciplined in the
38 past as, according to the unions, the directive serves only to harass,
39 embarrass, and rehash past incidents during a time of severe anti-
40 law enforcement sentiment; and
41 **WHEREAS**, The release of the names may cause the officers and their
42 families to become potential targets of violent anti-police activists
43 in their homes, communities, and schools; and
44 **WHEREAS**, In addition, according to the unions, a significant portion
45 of the names that would be released would include former State
46 Troopers who have been granted honorable retirements and are no
47 longer involved in law enforcement; and

1 **WHEREAS**, According to the unions, the State removes the names of
2 criminal offenders from the Department of Corrections Offender
3 Search internet page one year after the completion of the person's
4 term of imprisonment; therefore, under the Attorney General's
5 directive, the name of a State Trooper with an administrative rule
6 violation that occurred many years ago would be posted online in
7 perpetuity while the name of a person who served a term of
8 imprisonment for armed robbery would be removed; and

9 **WHEREAS**, While the murder of George Floyd, who was killed during
10 an arrest in Minneapolis, Minnesota, was indefensible and
11 unjustified, the release of the names of officers who have been
12 disciplined in the past is not a deterrent to that type of conduct as
13 the violations have already occurred and the suspensions have
14 already been served; and

15 **WHEREAS**, Based upon the joint statement released by the State
16 Troopers Fraternal Association, the State Troopers NCO
17 Association of New Jersey, and the State Troopers Superior
18 Officers Association, the State Troopers unions are willing to
19 consider releasing the names of troopers who were found guilty of
20 excessive force or racially biased incidents if the unions are
21 involved in the decision; and

22 **WHEREAS**, As a result, the Attorney General is urged to negotiate with
23 law enforcement unions, following the proper contractual and
24 legislative processes, and in accordance with those negotiations, to
25 modify the law enforcement directive to prohibit the disclosure of
26 the identities of law enforcement officers, including State Troopers,
27 who were disciplined in the past or limit the disclosure to the names
28 of officers who were found guilty of excessive force or racially
29 biased incidents; now, therefore,

30
31 **BE IT RESOLVED** *by the General Assembly of the State of New*
32 *Jersey (the Senate concurring):*
33

34 1. The Legislature respectfully urges the New Jersey Attorney
35 General to negotiate with law enforcement unions, following the
36 proper contractual and legislative processes, and in accordance with
37 those negotiations, to modify the law enforcement directive that
38 allows the public disclosure of the identities of all officers who
39 committed serious disciplinary violations in the past to prohibit this
40 disclosure or limit the disclosure to names of officers who were
41 found guilty of excessive force or racially biased incidents.
42

43 2. Copies of this resolution, as filed with the Secretary of State,
44 shall be transmitted by the Clerk of the General Assembly or the
45 Secretary of the Senate to the New Jersey Attorney General.

STATEMENT

This resolution urges the New Jersey Attorney General to negotiate with law enforcement unions, and in accordance with those negotiations, modify the law enforcement directive that allows the public disclosure of the identities of all officers who committed serious disciplinary violations in the past.

The New Jersey Attorney General issued a Law Enforcement Directive on June 15, 2020 requiring all law enforcement agencies in the State to begin publicly identifying officers who commit serious disciplinary violations. Under the directive, going forward every State, county, and local law enforcement agency in this State is required to annually publish a list of officers who were fired, demoted, or suspended for more than five days due to a disciplinary violation, with the first list to be published no later than December 31, 2020. The directive also permits law enforcement agencies to identify officers who have committed serious disciplinary violations in the past and provides that the New Jersey State Police, the Division of Criminal Justice, and the Juvenile Justice Commission will publish the names of any officers who have been subject to serious discipline by July 15, 2020.

According to the directive, the New Jersey State Police, which has published annual reports since 2000 summarizing incidents of major discipline which do not disclose the identities of the State Troopers, intends to update these annual reports with names by July 15, 2020. As a result, a list of all State Troopers who have committed serious disciplinary violations over the past 20 years will be published.

The Jersey City Police Officers Benevolent Association, the New Jersey State Policemen's Benevolent Association, the New Jersey State Fraternal Order of Police, the State Troopers Fraternal Association, the State Troopers NCO Association of New Jersey, and the State Troopers Superior Officers Association, have urged the New Jersey Attorney General to reverse his decision to release the names of the State Troopers who have been disciplined in the past as, according to the unions, the directive serves only to harass, embarrass, and rehash past incidents during a time of severe anti-law enforcement sentiment.

According to the unions, the State removes the names of criminal offenders from the Department of Corrections Offender Search internet page one year after the completion of the person's term of imprisonment. Therefore, under the Attorney General's directive, the name of a State Trooper with an administrative rule violation that occurred many years ago would be posted online in perpetuity while the name of a person who served a term of imprisonment for armed robbery would be removed.

While the murder of George Floyd, who was killed during an arrest in Minneapolis, Minnesota, was indefensible and unjustified,

1 the release of the names of officers who have been disciplined in
2 the past is not a deterrent to that type of conduct as the violations
3 have already occurred and the suspensions have already been
4 served.

5 Based upon the joint statement released by the State Troopers
6 Fraternal Association, the State Troopers NCO Association of New
7 Jersey, and the State Troopers Superior Officers Association, the
8 State Troopers unions are willing to consider releasing the names of
9 troopers who were found guilty of excessive force or racially biased
10 incidents if the unions are involved in the decision.

11 As a result, the Attorney General, with involvement from law
12 enforcement unions, is urged to modify the law enforcement
13 directive to prohibit the disclosure of the identities of law
14 enforcement officers, including State Troopers, who were
15 disciplined in the past or limit the disclosure to the names of
16 officers who were found guilty of excessive force or racially biased
17 incidents.