

SENATE, No. 366

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

SYNOPSIS

Grants certain employment protections to campus police officers.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning campus police officers and supplementing Title
2 18A of the New Jersey Statutes.

3

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

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7 1. a. As used in P.L. , c. (C.) (pending before the
8 Legislature as this bill), a campus police officer means a law
9 enforcement officer appointed pursuant to P.L.1970, c.211
10 (C.18A:6-4.2 et seq.), but shall not include a law enforcement
11 officer appointed by a county college.

12 b. Except as provided by section 2 of P.L. , c. (C.)
13 (pending before the Legislature as this bill) or any other law to the
14 contrary, a non-probationary campus police officer shall not be
15 removed from office, employment, or position for political reasons
16 or for any cause other than incapacity, misconduct, or disobedience
17 of rules and regulations established for the government of the police
18 agency, nor shall a campus police officer be suspended, removed,
19 fined, or reduced in rank from or in office, employment, or position
20 therein, except for just cause as hereinbefore provided and then
21 only upon a written complaint setting forth the charge or charges
22 against the officer.

23 c. The complaint shall be filed in the office of the person or
24 entity having charge of the police agency where the complaint is
25 made and a copy shall be served upon the officer charged, with
26 notice of a designated hearing thereon by the proper authorities,
27 which shall be not less than 10 or more than 30 days from date of
28 service of the complaint.

29 d. A complaint charging a violation of the internal rules and
30 regulations established for the conduct of a police agency shall be
31 filed no later than the 45th day after the date on which the person
32 filing the complaint obtained sufficient information to file the
33 matter upon which the complaint is based.

34 (1) The 45-day time limit shall not apply if an investigation of a
35 campus police officer for a violation of the internal rules or
36 regulations of the police agency is included directly or indirectly
37 within a concurrent investigation of that officer for a violation of
38 the criminal laws of this State. The 45-day limit shall begin on the
39 day after the disposition of the criminal investigation.

40 (2) The 45-day requirement for filing a complaint against an
41 officer shall not apply to a filing of a complaint by a private
42 individual.

43 e. The time periods established pursuant to subsections c. and
44 d. of this section shall be extended by any time period during which
45 a student, faculty member, or staff member who has relevant
46 information or testimony pertaining to the complaint or charge is
47 unavailable because:

30
31 3. This act shall take effect immediately.

Under the bill, a campus police officer may not be suspended, removed, fined, or reduced in rank for a violation of the internal rules and regulations established for the conduct of employees of the police agency, except for just cause and then only upon a written complaint setting forth the charge against the officer. The bill requires that the complaint be filed in the office of the person or

1 body in charge of the police agency where the complaint is made
2 and that a copy is required to be served upon the officer charged.
3 The complaint is to contain notice of a designated hearing by the
4 proper authorities. The hearing must be held at least 10 days, but
5 not more than 30 days, after the date the complaint was served.

6 The bill also establishes that the "45-day rule" applies to campus
7 police officers. Under the rule, all complaints against campus
8 police officers for violations of their police agency's internal rules
9 and regulations must be filed within 45 days of establishing the
10 grounds for the complaint. If the complaint is not filed within this
11 45 day window, the complaint will be dismissed and the campus
12 police officer cannot be fired, suspended, fined or reduced in rank
13 for that violation. The 45-day rule does not apply if a campus
14 police officer's alleged violation of police agency rules and
15 regulations is directly or indirectly related to a criminal
16 investigation involving that officer.

17 Under the bill, the 45-day rule also does not apply in cases where
18 the complaint is being filed by a private individual.

19 The bill extends the time requirements when a student, faculty
20 member, or staff member with relevant information or testimony
21 pertaining to the complaint or charge is unavailable because the
22 institution is in recess or he or she is engaged in out-of-State
23 research, study, or teaching commitments.

24 The bill also provides that an institution of higher education, if it
25 deems necessary for reasons of economy, may decrease the number
26 of members and officers of the police department or force or reduce
27 their grades or ranks. This provision is consistent with current law
28 which allows State, county, and municipal law enforcement
29 departments to decrease the police force or reduce officers' ranks
30 for economic reasons.

31 The bill further authorizes the campus police officer or the police
32 agency to request a court reporter at a hearing. The party who
33 makes the request is responsible for the cost of the court reporter.