

# SENATE, No. 401

## STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**Co-Sponsored by:**

**Senators Rice and Pou**

**SYNOPSIS**

Requires law enforcement agencies in this State to establish minority recruitment and selection programs; establishes reporting requirement.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 6/29/2020)**

1   **AN ACT** requiring State, county, and municipal law enforcement  
2       agencies to establish minority recruitment and selection  
3       programs and supplementing Title 52 of the New Jersey 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 this act:

9       "Law enforcement agency" means a department, division,  
10      bureau, commission, board, or other authority of the State or of any  
11      political subdivision thereof which has by statute or ordinance the  
12      responsibility of detecting and enforcing the general criminal laws  
13      of this State.

14      "Law enforcement officer" means any person who is employed  
15      as a permanent full-time member of an enforcement agency, who is  
16      statutorily empowered to act for the detection, investigation, arrest,  
17      and conviction of persons violating the criminal laws of this State  
18      and statutorily required to successfully complete a training course  
19      approved, or certified as being substantially equivalent to an  
20      approved course, by the Police Training Commission pursuant to  
21      P.L.1961, c.56 (C.52:17B-66 et seq.).  
22

23      2. a. Each law enforcement agency in this State shall establish  
24      a minority recruitment and selection program in accordance with  
25      guidelines established by the Attorney General pursuant to section 4  
26      of this act. The program shall ensure that the agency is comprised  
27      of law enforcement officers who reflect the diversity of the  
28      population of the community the agency is charged with protecting  
29      by:

30       (1) setting specific goals for recruiting and hiring minorities and  
31      females;

32       (2) establishing time frames for meeting these goals;

33       (3) describing methods of evaluating whether these goals are  
34      met; and

35       (4) setting forth corrective action to be taken if the agency fails  
36      to meet these goals.

37      b. The minority recruitment and selection program established  
38      pursuant to subsection a. of this section shall be posted on the  
39      official Internet website of each law enforcement agency.

40      c. The county prosecutor shall monitor the results of the  
41      minority recruitment and selection programs established by county  
42      and municipal law enforcement agencies within the jurisdiction of  
43      the prosecutor as required in subsection a. of this section. The  
44      county prosecutor shall annually report this information to the  
45      Attorney General.

46      d. The Attorney General shall monitor the results of the  
47      minority recruitment and selection programs established by the

1 Division of State Police and other State law enforcement agencies  
2 as required in subsection a. of this section.

3 e. The Attorney General shall annually report to the Governor  
4 and, pursuant to section 2 of P.L.1991, c.164 (C:52:14-19.1), to the  
5 President of the Senate and the Speaker of the General Assembly a  
6 summary of the results obtained pursuant to subsection d. of this  
7 section and the results reported by the county prosecutors pursuant  
8 to subsection c. of this section. The Attorney General also shall  
9 post this summary on the official Internet website of the  
10 Department of Law and Public Safety.

11

12 3. a. Each State law enforcement agency, including the  
13 Division of State Police, shall annually submit to the Attorney  
14 General and each municipal and county law enforcement agency in  
15 this State shall annually submit to the county prosecutor with  
16 jurisdiction over the agency a report containing:

17 (1) the age, gender, race, and ethnicity of the law enforcement  
18 officers currently appointed to the law enforcement agency;

19 (2) the age, gender, race, and ethnicity of applicants for a law  
20 enforcement officer position in the preceding calendar year;

21 (3) the age, gender, race, and ethnicity of applicants appointed  
22 to the agency in the preceding calendar year;

23 (4) the reasons for denying applicants an appointment to the law  
24 enforcement agency; and

25 (5) the age, gender, race, and ethnicity of each law enforcement  
26 officer promoted within the agency in the preceding calendar year,  
27 including the position to which the officer was promoted.

28 b. Each municipal law enforcement agency shall publish in the  
29 agency's annual report the information required by subsection a. of  
30 this section.

31 c. Each county prosecutor shall publish in the county  
32 prosecutor's annual report the information required by subsection a.  
33 of this section for each county law enforcement agency within the  
34 jurisdiction of the county prosecutor.

35 d. Each State law enforcement agency shall publish in the  
36 agency's annual report the information required by subsection a. of  
37 this section.

38 e. The county prosecutor shall forward the information  
39 required in subsection a. of this section to the Attorney General.  
40 The Attorney General shall collect, gather, assemble, and collate the  
41 information required in subsection a. of this section into an annual  
42 report to be issued to the Governor and, pursuant to section 2 of  
43 P.L.1991, c.164 (C:52:14-19.1), to the President of the Senate and  
44 the Speaker of the General Assembly.

45 f. The Attorney General shall post on the official Internet  
46 website of the Department of Law and Public Safety each annual  
47 report required by subsection e. of this section.

1       4. The Attorney General shall develop for dissemination to law  
2 enforcement agencies and county prosecutors throughout this State  
3 those guidelines or directives deemed necessary or appropriate to  
4 ensure the uniform application of this act.

5  
6       5. This act shall take effect on the first day of the fourth month  
7 next following enactment.

8  
9  
10                               STATEMENT

11  
12       This bill requires each State, county, and municipal law  
13 enforcement agency in New Jersey to establish a minority  
14 recruitment and selection program in accordance with guidelines  
15 issued by the Attorney General. The purpose of these programs is  
16 to ensure that law enforcement agencies in this State reflect the  
17 diversity of the population of the community the agency protects.

18       Under the bill, each minority recruitment and selection program  
19 is required to: (1) set specific goals for recruiting and hiring  
20 minorities and females; (2) establish time frames for meeting these  
21 goals; (3) describe methods of evaluating whether these goals are  
22 met; and (4) set forth corrective to be taken if the agency fails to  
23 meet the goals of the program. In addition, the bill requires each  
24 law enforcement agency to post the recruitment and selection  
25 program on the agency's official Internet website.

26       The county prosecutors are responsible for monitoring the results  
27 of the recruitment and selection programs established by county and  
28 municipal law enforcement agencies. The Attorney General is  
29 responsible for monitoring the results of the programs established  
30 by the State Police and other State law enforcement agencies. The  
31 bill requires the Attorney General to annually report to the  
32 Governor and the Legislature a summary of the results of the State,  
33 county, and municipal programs and to post this information on the  
34 Department of Law and Public Safety's website.

35       The bill also establishes reporting requirements concerning the  
36 overall diversity of the law enforcement agencies throughout the  
37 State. The bill requires each State, county, and municipal law  
38 enforcement agency in this State to annually report on: (1) the age,  
39 gender, race, and ethnicity of the law enforcement officers currently  
40 appointed to the law enforcement agency; (2) the age, gender, race,  
41 and ethnicity of applicants for a law enforcement officer position in  
42 the preceding calendar year; (3) the age, gender, race, and ethnicity  
43 of applicants appointed to the agency in the preceding calendar  
44 year; (4) the reasons for denying applicants an appointment to the  
45 law enforcement agency; and (5) the age, gender, race, and ethnicity  
46 of each law enforcement officer promoted within the agency in the  
47 preceding calendar year, including the position to which the officer  
48 was promoted.

1       The county prosecutor is required by the bill to forward this  
2 information to the Attorney General. The Attorney General is  
3 required to collect, gather, assemble, and collate the information  
4 forwarded by the county prosecutors and the information  
5 concerning State law enforcement agencies, including the Division  
6 of State Police, into an annual report to be issued to the Governor,  
7 President of the Senate, and Speaker of the General Assembly. The  
8 bill also requires this information to be posted on the official  
9 Internet website of the Department of Law and Public Safety. Each  
10 State, county, and municipal law enforcement agency also is  
11 required to publish this information in its annual report.

12       To enhance the public's trust in the police officers who protect  
13 the residents of this State, law enforcement workforces need to  
14 more closely mirror the population of the community. Therefore,  
15 law enforcement agencies need to increase the number of minority  
16 and female law enforcement officers they recruit and hire. It is the  
17 sponsor's intent to increase minority and female representation in  
18 law enforcement agencies in this State by requiring each agency to  
19 establish a minority recruitment and selection program and to make  
20 available to the public the results of these programs.