

[First Reprint]

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:

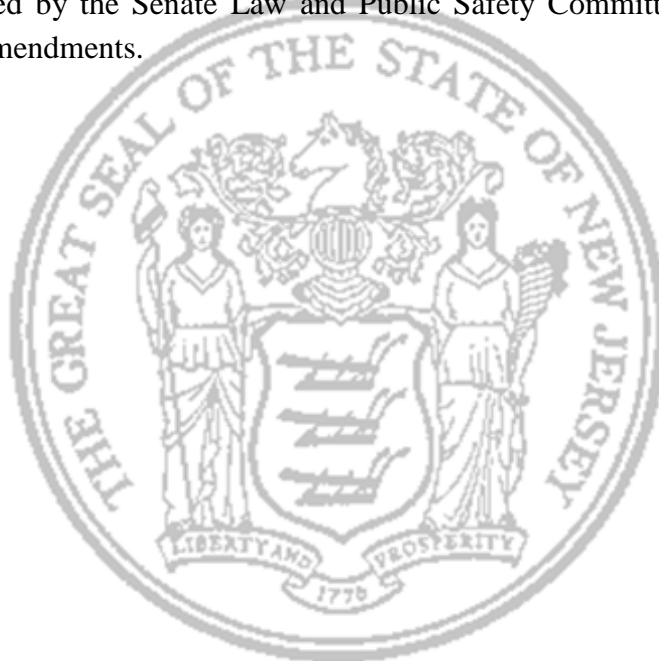
Senators Rice and Pou

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Senate Law and Public Safety Committee on July 28, 2020, with amendments.



(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 ¹**ensure that** seek to remedy past
27 discrimination in furtherance of the goal of¹ the agency ¹**is** being¹
28 comprised of law enforcement officers who reflect the diversity of
29 the population of the community the agency is charged with
30 protecting ¹**by:**

31 (1) setting ¹**]** In implementing the program, the law
32 enforcement agency shall make a good faith effort to meet¹ specific
33 goals for recruiting and hiring minorities and females ¹**];**

34 (2) establishing ¹**]** within established¹ time frames ¹**]** for meeting
35 these goals;

36 (3) describing ¹**]** The program shall include¹ methods of
37 evaluating whether these goals are met ¹**];**¹ and

38 ¹**[(4) setting forth corrective action]** provide for additional
39 contingent measures¹ to be taken if the ¹**[agency]** program¹ fails to
40 meet ¹**[these]** its specific¹ goals.

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

44 c. The county prosecutor shall monitor the results of the
45 minority recruitment and selection programs established by county

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SLP committee amendments adopted July 28, 2020.

1 and municipal law enforcement agencies within the jurisdiction of
2 the prosecutor as required in subsection a. of this section. The
3 county prosecutor shall annually report this information to the
4 Attorney General.

5 d. The Attorney General shall monitor the results of the
6 minority recruitment and selection ~~programs~~ program¹
7 established by the Division of State Police and ¹, in consultation
8 with the respective commissioner of any other State department that
9 maintains a law enforcement agency, the programs established by¹
10 other State law enforcement agencies as required in subsection a. of
11 this section.

12 e. The Attorney General shall annually report to the Governor
13 and, pursuant to section 2 of P.L.1991, c.164 ~~[(C:52:14-19.1)]~~
14 (C.52:14-19.1)¹, to the President of the Senate and the Speaker of
15 the General Assembly a summary of the results obtained pursuant to
16 subsection d. of this section and the results reported by the county
17 prosecutors pursuant to subsection c. of this section. The Attorney
18 General also shall post this summary on the official Internet website
19 of the Department of Law and Public Safety.

20
21 3. a. Each State law enforcement agency, including the
22 Division of State Police, shall annually submit to the Attorney
23 General and each municipal and county law enforcement agency in
24 this State shall annually submit to the county prosecutor with
25 jurisdiction over the agency a report containing:

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

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

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

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

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

37 b. Each municipal law enforcement agency shall publish in the
38 agency's annual report the information required by subsection a. of
39 this section.

40 c. Each county prosecutor shall publish in the county
41 prosecutor's annual report the information required by subsection a.
42 of this section for each county law enforcement agency within the
43 jurisdiction of the county prosecutor.

44 d. Each State law enforcement agency shall publish in the
45 agency's annual report the information required by subsection a. of
46 this section.

1 e. The county prosecutor shall forward the information
2 required in subsection a. of this section to the Attorney General.
3 The Attorney General shall collect, gather, assemble, and collate the
4 information required in subsection a. of this section into an annual
5 report to be issued to the Governor and, pursuant to section 2 of
6 P.L.1991, c.164 (C:52:14-19.1), to the President of the Senate and
7 the Speaker of the General Assembly.

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

11

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

16

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