# SENATE, No. 1061

# STATE OF NEW JERSEY

## 219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

**Sponsored by:**
**Senator SHIRLEY K. TURNER**
**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

Bars the disclosure of personal identifying information of grand jury witnesses except for name; creates a fourth degree offense for attorney disclosure.

**CURRENT VERSION OF TEXT**

As introduced.

**AN ACT** concerning the discovery of certain grand jury records and supplementing Title 2B of the New Jersey Statutes.

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

1. a. Except as provided in subsection b. of this section, the court shall, in connection with an application for discovery of grand jury transcripts, issue a protective order barring the disclosure of personal identifying information of any witness except for the name of the witness, whose testimony is transcribed in the grand jury transcript, or whose personal identifying information is contained in evidence submitted to the grand jury.

b. An attorney for a party in a civil action or for a defendant in a criminal matter arising out of a grand jury proceeding seeking discovery of grand jury testimony contained in a grand jury transcript or grand jury records shall, notwithstanding the provisions of subsection a. of this section, have access to the personal identifying information barred from discovery by that subsection.

An attorney who shall purposely, knowingly, or recklessly disclose the personal identifying information of any witness whose testimony is transcribed in the grand jury transcript or who submitted evidence to the grand jury except for the name of the witness, commits a crime of the fourth degree.

As used in this section, "personal identifying information" means a name, number, or other information that may be used, alone or in conjunction with any other information, to identify a specific individual and includes, but is not limited to, the name, address, telephone number, date of birth, Social Security number, official State issued identification number, employer or taxpayer number, place of employment, employee identification number, demand deposit account number, savings account number, credit card number, mother's maiden name, or unique electronic identification number, address, or routing code of the individual.

2. This act shall take effect immediately.

STATEMENT

This act bars the disclosure of personal identifying information of any witness except for the name of the witness, whose testimony is transcribed in a grand jury transcript, or who submitted evidence to the grand jury. The bar does not apply to an attorney for a party in a civil action or for a defendant in a criminal matter arising out of a grand jury seeking discovery of grand jury testimony contained in a grand jury transcript or grand jury records. However, under the

bill, an attorney who shall purposely, knowingly, or recklessly disclose the personal identifying information of any witness whose testimony is transcribed in the grand jury transcript or who submitted evidence to the grand jury, except for the name of the witness, commits a crime of the fourth degree. A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to $10,000, or both.