

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2638

STATE OF NEW JERSEY

DATED: JULY 28, 2020

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 2638.

As reported by the committee, this bill requires the Attorney General to establish a program to collect, record, and analyze certain prosecutorial and criminal justice data, which includes race, ethnicity, gender, and age-related information, and issue annual reports.

The bill specifically requires the Attorney General to establish a program to collect, record, and analyze data regarding defendants in this State age 18 years or older at the time of the alleged offense was committed. The Attorney General is directed to consult with the Division of State Police, county prosecutors offices, Administrative Office of the Courts, and Department of Corrections in establishing this program.

The data is to be collected from the time these defendants enter the State's criminal justice system, by arrest, charge, or other action, through the final disposition of the defendant's case. The data specifically is to include the defendant's race, ethnicity, gender, and age. The date also is to include: (1) warrants, arrests, charges, filing of criminal complaints, and indictments; (2) dismissed or downgraded charges; (3) cases which proceed to trial, and the disposition of cases, including convictions and guilty pleas; (4) admission to diversionary programs, including data on program applications, and any prosecutorial consent or denial for a defendant's entry into diversionary programs; (5) contact between a prosecutorial authority and a victim, including data concerning cases involving victims; (6) plea agreement negotiations, including data concerning plea offers extended and accepted or rejected by the defendant, plea agreements entered or rejected by the court, and whether the plea agreements involved probation or incarceration; (7) court fees and fines, and (8) restitution amounts ordered, including any amount collected by the court and paid to a victim.

The Attorney General is required to prepare and publish on its Internet website annual reports summarizing the data collected, recorded, and analyzed under the bill, and to issue annual reports to the Governor and the Legislature. The reports published pursuant to the bill's provisions are not to disclose any confidential or personal identifying information related to a defendant or victim.

As reported by the committee, Senate Bill No 2638 is identical to Assembly Bill No. 1076, which also was reported by the committee on this same date.