

ASSEMBLY, No. 4636

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED OCTOBER 22, 2018

Sponsored by:

Assemblyman GREGORY P. MCGUCKIN

District 10 (Ocean)

SYNOPSIS

Establishes New Jersey Internet Criminal Information Registry.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing the New Jersey Internet Criminal Information
2 Registry, supplementing Title 52 of the Revised Statutes and
3 amending N.J.S.2C:64-6.

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

7
8 1. (New section) a. The Attorney General shall establish and
9 maintain the New Jersey Internet Criminal Information Registry.
10 The purpose of the registry is to make available to the citizens of
11 this State, through the creation of an online database, information
12 relating to certain persons who are either incarcerated, on parole, or
13 participating in a residential community release program in this
14 State.

15 b. Information relating only to persons convicted of the
16 following crimes shall be included on the registry: murder pursuant
17 to N.J.S.2C:11-3; aggravated manslaughter or manslaughter
18 pursuant to N.J.S.2C:11-4; vehicular homicide pursuant to
19 N.J.S.2C:11-5; disarming a law enforcement officer pursuant to
20 subsection b. of section 1 of P.L.1996, c.14 (C.2C:12-11);
21 kidnapping pursuant to N.J.S.2C:13-1, except for a conviction
22 pursuant paragraph (2) of subsection c., or a conviction involving a
23 minor and the person is not the parent of the victim; robbery
24 pursuant to N.J.S.2C:15-1; carjacking pursuant to section 1 of
25 P.L.1993, c.221 (C.2C:15-2); aggravated arson pursuant to
26 paragraph (1) of subsection a. of N.J.S.2C:17-1; burglary pursuant
27 to N.J.S.2C:18-2; extortion pursuant to subsection a. of
28 N.J.S.2C:20-5; booby traps in manufacturing or distribution
29 facilities pursuant to subsection b. of section 1 of P.L.1997, c.185
30 (C.2C:35-4.1); strict liability for drug induced deaths pursuant to
31 N.J.S.2C:35-9; terrorism pursuant to section 2 of P.L.2002, c.26
32 (C.2C:38-2); producing or possessing chemical weapons, biological
33 agents or nuclear or radiological devices pursuant to section 3 of
34 P.L.2002, c.26 (C.2C:38-3); racketeering pursuant to N.J.S.2C:41-2,
35 when it is a crime of the first degree; firearms trafficking pursuant
36 to subsection i. of N.J.S.2C:39-9; or any crime of the first or second
37 degree involving serious bodily injury.

38 c. The registry shall be subdivided into three categories and
39 each category shall include the following information:

40 (1) for a person incarcerated for one of the crimes set forth in
41 subsection b. of this section: the inmate's name; sentence; place of
42 incarceration; parole eligibility or release date, as appropriate; and
43 criminal history;

44 (2) for a person convicted of one of the crimes set forth in
45 subsection b. of this section who is released on parole: the parolee's
46 name; sentence; address; parole discharge date; and criminal
47 history; and

1 (3) for a person convicted of one of the crimes set forth in
2 subsection b. of this section who is participating in a residential
3 community release program: the inmate's name; sentence; address
4 where the inmate is residing while participating in the program;
5 release date; and criminal history.

6 d. The registry also may include the following information
7 relating to persons convicted in another jurisdiction of a crime that
8 is substantially similar to those set forth in subsection b., but who,
9 pursuant to the Interstate Corrections Compact, P.L.1973, c.15
10 (C.30:7C-1 et seq.), are released on parole in this State: the
11 parolee's name; sentence; jurisdiction imposing that sentence;
12 address; parole discharge date; and criminal history.

13 e. Upon release or discharge from parole, as the case may be, a
14 person's name and all related information shall immediately be
15 removed from the registry and no longer be available to the public.

16 f. The Attorney General may adopt guidelines to effectuate the
17 purposes of this act.

18 g. No action shall be brought against a real estate broker,
19 broker-salesperson, salesperson, seller, or lessor for failure to
20 investigate or disclose any information from the registry that is
21 compiled or made available to the citizens of this State pursuant to
22 this section.

23

24 2. N.J.S.2C:64-6 is amended to read as follows:

25 2C:64-6. Disposal of Forfeited Property. a. Property which
26 has been forfeited shall be destroyed if it can serve no lawful
27 purpose or it presents a danger to the public health, safety, or
28 welfare. All other forfeited property or any proceeds resulting from
29 the forfeiture and all money seized pursuant to this chapter shall
30 become the property of the entity funding the prosecuting agency
31 involved and shall be disposed of, distributed, appropriated, and
32 used in accordance with the provisions of this chapter.

33 The prosecutor or the Attorney General, whichever is
34 prosecuting the case, shall divide the forfeited property, any
35 proceeds resulting from the forfeiture or any money seized pursuant
36 to this chapter with any other entity where the other entity's law
37 enforcement agency participated in the surveillance, investigation,
38 arrest, or prosecution resulting in the forfeiture, in proportion to the
39 other entity's contribution to the surveillance, investigation, arrest,
40 or prosecution resulting in the forfeiture, as determined in the
41 discretion of the prosecutor or the Attorney General, whichever is
42 prosecuting the case. Notwithstanding any other provision of law,
43 such forfeited property and proceeds shall be used solely for law
44 enforcement purposes, and shall be designated for the exclusive use
45 of the law enforcement agency which contributed to the
46 surveillance, investigation, arrest or prosecution resulting in the
47 forfeiture.

1 The Attorney General is authorized to promulgate rules and
2 regulations to implement and enforce the provisions of this act.

3 b. For a period of two years from the date of enactment of
4 P.L.1993, c.227 (C.26:4-100.13 et al.), **【10%】** 10 percent of the
5 proceeds obtained by the Attorney General under the provisions of
6 subsection a. of this section shall be deposited into the Hepatitis
7 Inoculation Fund established pursuant to section 2 of P.L.1993,
8 c.227 (C.26:4-100.13).

9 c. Beginning two years from the date of enactment of
10 P.L.1993, c.227 (C.26:4-100.13 et al.) and in subsequent years,
11 **【5%】** five percent of the proceeds obtained by the Attorney General
12 under the provisions of subsection a. of this section shall be
13 deposited into the Hepatitis Inoculation Fund established pursuant
14 to section 2 of P.L.1993, c.227 (C.26:4-100.13).

15 d. From the proceeds obtained under the provisions of
16 subsection a. of this section, the Attorney General shall allocate the
17 monies necessary to fund the actual costs of establishing and
18 maintaining the New Jersey Internet Criminal Information Registry
19 authorized under section 1 of P.L. , c. (C.)(pending before
20 the Legislature as this bill).
21 (cf: P.L.1993, c.227, s.1)
22

23 3. This act shall take effect on the first day of the sixth month
24 following enactment.
25
26

27 STATEMENT

28
29 This bill directs the Attorney General to establish and maintain
30 the New Jersey Internet Criminal Information Registry. The names
31 and information relating to persons who have been convicted of
32 certain violent crimes would be placed on the registry and would be
33 available to the public on the Internet.

34 A conviction of any one of the following crimes would result in a
35 person's placement on the registry: murder; aggravated
36 manslaughter or manslaughter; vehicular homicide; disarming a law
37 enforcement officer; kidnapping, except for convictions for which a
38 person is required to register pursuant to Megan's law; robbery;
39 carjacking; aggravated arson; burglary; extortion; booby traps in
40 manufacturing or distribution facilities; strict liability for drug
41 induced deaths; terrorism; producing or possessing chemical
42 weapons, biological agents or nuclear or radiological devices;
43 racketeering when it is a crime of the first degree; firearms
44 trafficking; or any crime of the first or second degree involving
45 serious bodily injury.

46 The registry is to be subdivided into four categories: inmates;
47 parolees; inmates participating in residential community release
48 programs; and persons convicted of a substantially similar violent

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1 crime in a different jurisdiction, but paroled in New Jersey under
2 the Interstate Corrections Compact.

3 Registry information is to include the person's name, sentence,
4 address or place of incarceration, release or parole discharge date,
5 and criminal history.

6 The bill specifies that upon release or discharge from parole, the
7 person's name and all related information is to be immediately
8 removed from the registry and no longer be available to the public.
9 The bill also specifies that no action is to be brought against a real
10 estate broker, broker-salesperson, salesperson, seller, or lessor for
11 failure to investigate or disclose any information from the registry
12 that is compiled or made available pursuant to the bill.

13 Finally, the bill directs the Attorney General to use forfeiture
14 funds to cover the costs of establishing and maintaining the registry.