

ASSEMBLY, No. 1076

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

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District 31 (Hudson)

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District 34 (Essex and Passaic)

Co-Sponsored by:

Assemblyman Holley

SYNOPSIS

Requires AG to collect, record, analyze, and report certain prosecutorial and criminal justice data.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/11/2020)

1 AN ACT concerning the collection and reporting of certain
2 prosecutorial and criminal justice data and supplementing Title
3 52 of the Revised Statutes.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. The Attorney General, in consultation with the Division
9 of State Police, county prosecutors offices, Administrative Office of
10 the Courts, and Department of Corrections, shall establish a
11 program to collect, record, and analyze data regarding defendants in
12 this State who are age 18 or older at the time of the commission of
13 an alleged offense. In furtherance of this program, the Attorney
14 General shall collect data from the time a defendant enters the
15 State's criminal justice system, by arrest, charge, or other action,
16 through the final disposition of the defendant's case. The data shall
17 include information concerning the race, ethnicity, gender, and age
18 of the defendant and shall include, but not be limited to, data
19 concerning:

20 (1) warrants, arrests, charges, filing of criminal complaints, and
21 indictments;

22 (2) dismissed or downgraded charges;

23 (3) cases which proceed to trial, and the disposition of cases,
24 including convictions and guilty pleas;

25 (4) admission to diversionary programs, including data on
26 program applications, and any prosecutorial consent or denial for a
27 defendant's entry into diversionary programs;

28 (5) contact between a prosecutorial authority and a victim,
29 including data concerning cases involving victims;

30 (6) plea agreement negotiations, including data concerning plea
31 offers extended and accepted or rejected by the defendant, plea
32 agreements entered or rejected by the court, and whether the plea
33 agreements involved probation or incarceration;

34 (7) court fees and fines; and

35 (8) restitution amounts ordered, including any amount collected
36 by the court and paid to a victim.

37 Nothing in this section shall be construed to authorize the
38 disclosure of any confidential or personal identifying information.
39 For the purposes of this section, "personal identifying information"
40 shall include, but not be limited to, name and any aliases, address,
41 social security number, telephone number, fax number, driver's
42 license number, email address, or social media address of any
43 defendant or victim.

44 b. The Attorney General shall prepare and publish on its
45 Internet website annual reports summarizing the data collected,
46 recorded, and analyzed pursuant to this section.

47 c. The Attorney General shall, pursuant to section 2 of
48 P.L. 1991, c.164 (C.52:14-19.1), annually prepare and transmit to

1 the Governor and the Legislature the reports required in this
2 section.

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4 2. This act shall take effect on the first day of the seventh
5 month next following the date of enactment.

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STATEMENT

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10 This bill requires the Attorney General to establish a program to
11 collect, record, and analyze prosecutorial and criminal justice data,
12 which includes race, ethnicity, gender, and age-related information,
13 and issue annual reports.

14 Under the bill, the Attorney General, in consultation with the
15 Division of State Police, county prosecutors offices, Administrative
16 Office of the Courts, and Department of Corrections, is required to
17 establish a program to collect, record, and analyze data regarding
18 defendants in this State who are age 18 or older at the time of the
19 commission of an alleged offense. The data is to be collected from
20 the time a defendant enters the State's criminal justice system, by
21 arrest, charge, or other action, through the final disposition of the
22 defendant's case. The data required includes race, ethnicity,
23 gender, and age of the defendant. Specifically, the data is to
24 include, but not be limited to: (1) warrants, arrests, charges, filing
25 of criminal complaints, and indictments; (2) dismissed or
26 downgraded charges; (3) cases which proceed to trial, and the
27 disposition of cases, including convictions and guilty pleas; (4)
28 admission to diversionary programs, including data on program
29 applications, and any prosecutorial consent or denial for a
30 defendant's entry into diversionary programs; (5) contact between a
31 prosecutorial authority and a victim, including data concerning
32 cases involving victims; (6) plea agreement negotiations including
33 data concerning plea offers extended and accepted or rejected by
34 the defendant, plea agreements entered or rejected by the court, and
35 whether the plea agreements involved probation or incarceration;
36 (7) court fees and fines, and (8) restitution amounts ordered,
37 including any amount collected by the court and paid to a victim.

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