

[First Reprint]

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)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

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District 21 (Morris, Somerset and Union)

Senator NIA H. GILL

District 34 (Essex and Passaic)

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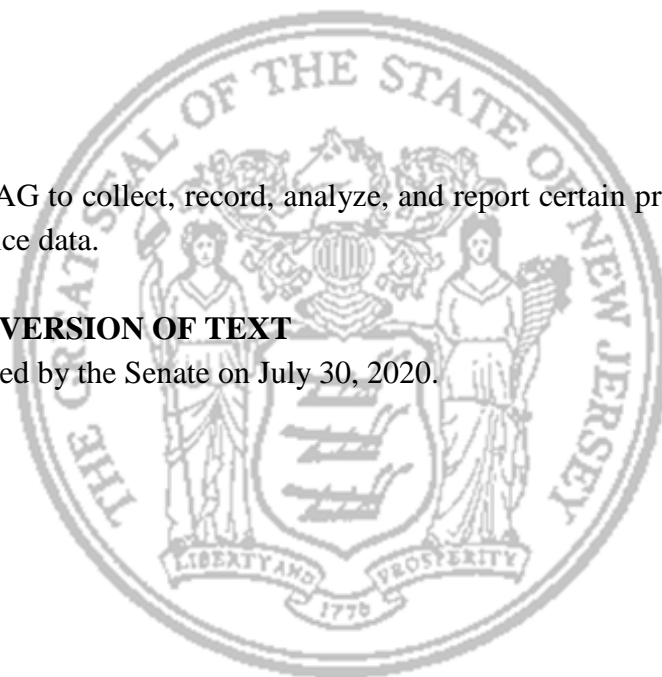
**Assemblymen Holley, Spearman, Assemblywomen Tucker, Quijano,
Assemblymen Wimberly, Johnson, Senators Ruiz, Turner,
Assemblywomen Jasey and Reynolds-Jackson**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As amended by the Senate on July 30, 2020.



(Sponsorship Updated As Of: 9/21/2020)

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 of
 9 State Police, county prosecutors offices, Administrative Office of the
 10 Courts, and Department of Corrections, shall establish a program to
 11 collect, record, and analyze data regarding defendants in this State who
 12 are age 18 or older at the time of the commission of an alleged
 13 ¹indictable offense or disorderly persons¹ offense. In furtherance of
 14 this program, the Attorney General shall ¹**["collect"]** compile¹ data
 15 ¹collected¹ from the time a defendant enters the State's criminal
 16 justice system, by arrest, charge, or other action, through the final
 17 disposition of the defendant's case. The data shall include information
 18 concerning the race, ethnicity, gender, and age of the defendant and
 19 ¹be compiled in accordance with the standards of the classification of
 20 federal data on race and ethnicity established by the federal Office of
 21 Management and Budget. The data¹ shall include, but not be limited
 22 to, data concerning:

23 (1) warrants, arrests, charges, filing of criminal complaints, and
 24 indictments;

25 (2) dismissed or downgraded charges;

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

28 (4) admission to diversionary programs, including data on program
 29 applications, and any prosecutorial ¹or court¹ consent or denial for a
 30 defendant's entry into diversionary programs;

31 (5) ¹**["contact between a prosecutorial authority and a victim,**
 32 **including data concerning"]**¹ cases involving victims¹, including the
 33 race, ethnicity, gender, and age of the defendant and victims in
 34 those cases¹;

35 (6) plea agreement negotiations, including data concerning plea
 36 offers extended and accepted or rejected by the defendant, plea
 37 agreements entered or rejected by the court, and whether the plea
 38 agreements involved probation or incarceration;

39 (7) court fees and fines; and

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

42 ¹b. The Division of State Police, county prosecutor's offices,
 43 Administrative Office of the Courts, Department of Corrections,
 44 Office of the Public Defender, and county and municipal police
 45 departments shall cooperate with the Attorney General in the

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 floor amendments adopted July 30, 2020.

1 implementation of this program, and shall assist in the collection,
2 recording, compilation and provision of data in furtherance of the
3 program to the extent and in the manner required by the Attorney
4 General.

5 c.¹ Nothing in this section shall be construed to authorize the
6 disclosure of any confidential or personal identifying information. For
7 the purposes of this section, “personal identifying information” shall
8 include, but not be limited to, name and any aliases, address, social
9 security number, telephone number, fax number, driver's license
10 number, email address, or social media address of any defendant or
11 victim.

12 ¹**[b.] d.**¹ The Attorney General shall prepare and publish on its
13 Internet website annual reports summarizing the data collected,
14 recorded, and analyzed pursuant to this section.

15 ¹**[c.] e.**¹ The Attorney General shall, pursuant to section 2 of
16 P.L. 1991, c.164 (C.52:14-19.1), annually prepare and transmit to the
17 Governor and the Legislature the reports required in this section.

18 ¹**f.** The Attorney General may utilize the services of any public
19 or private entity or entities for the performance of activities in
20 furtherance of the program established under this section, and may
21 enter into agreements for those purposes as the Attorney General
22 deems advisable.¹

23
24 2. This act shall take effect on the first day of the ¹**[seventh]**
25 thirteenth¹ month next following the date of enactment ¹, except the
26 Office of the Attorney General, Division of State Police, county
27 prosecutor's offices, Administrative Office of the Courts,
28 Department of Corrections, Office of the Public Defender, and
29 county and municipal police departments may take any anticipatory
30 action in advance thereof as may be necessary to implement the
31 provisions of this act¹.