

P.L. 2020, CHAPTER 120, *approved November 9, 2020*  
Assembly, No. 1076 (*First Reprint*)

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.

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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 <sup>1</sup>indictable offense or disorderly persons<sup>1</sup> offense. In furtherance of  
14 this program, the Attorney General shall **<sup>1</sup>["collect"] compile<sup>1</sup>** data  
15 <sup>1</sup>collected<sup>1</sup> 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 <sup>1</sup>be compiled in accordance with the standards of the classification of  
20 <sup>1</sup>federal data on race and ethnicity established by the federal Office of  
21 <sup>1</sup>Management and Budget. The data<sup>1</sup> 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 <sup>1</sup>or court<sup>1</sup> consent or denial for a  
30 defendant's entry into diversionary programs;

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

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.

**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:

<sup>1</sup>Senate floor amendments adopted July 30, 2020.

1 <sup>1</sup>b. The Division of State Police, county prosecutor's offices,  
2 Administrative Office of the Courts, Department of Corrections,  
3 Office of the Public Defender, and county and municipal police  
4 departments shall cooperate with the Attorney General in the  
5 implementation of this program, and shall assist in the collection,  
6 recording, compilation and provision of data in furtherance of the  
7 program to the extent and in the manner required by the Attorney  
8 General.

9 c.<sup>1</sup> Nothing in this section shall be construed to authorize the  
10 disclosure of any confidential or personal identifying information. For  
11 the purposes of this section, "personal identifying information" shall  
12 include, but not be limited to, name and any aliases, address, social  
13 security number, telephone number, fax number, driver's license  
14 number, email address, or social media address of any defendant or  
15 victim.

16 <sup>1</sup>[b.] d.<sup>1</sup> The Attorney General shall prepare and publish on its  
17 Internet website annual reports summarizing the data collected,  
18 recorded, and analyzed pursuant to this section.

19 <sup>1</sup>[c.] e.<sup>1</sup> The Attorney General shall, pursuant to section 2 of  
20 P.L. 1991, c.164 (C.52:14-19.1), annually prepare and transmit to the  
21 Governor and the Legislature the reports required in this section.

22 <sup>1</sup>f. The Attorney General may utilize the services of any public  
23 or private entity or entities for the performance of activities in  
24 furtherance of the program established under this section, and may  
25 enter into agreements for those purposes as the Attorney General  
26 deems advisable.<sup>1</sup>

27  
28 2. This act shall take effect on the first day of the <sup>1</sup>[seventh]  
29 thirteenth<sup>1</sup> month next following the date of enactment <sup>1</sup>, except the  
30 Office of the Attorney General, Division of State Police, county  
31 prosecutor's offices, Administrative Office of the Courts,  
32 Department of Corrections, Office of the Public Defender, and  
33 county and municipal police departments may take any anticipatory  
34 action in advance thereof as may be necessary to implement the  
35 provisions of this act<sup>1</sup>.

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