

SENATE, No. 2638

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 30, 2020

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Senator NIA H. GILL

District 34 (Essex and Passaic)

Co-Sponsored by:

Senators Ruiz and Turner

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/28/2020)

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.

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

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

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9 STATEMENT

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

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

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