

ASSEMBLY, No. 158

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman BUCCO

1 AN ACT concerning certain juvenile detention officers and  
2 supplementing chapter 8 of Title 30 of the Revised Statutes.

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

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7 1. a. A juvenile detention officer in a county juvenile facility who  
8 has successfully completed a training program in the use and effects of  
9 chemical agents and their natural equivalents, such as capsicum  
10 pepper, shall carry such chemical agents or natural equivalents while  
11 engaged in the actual performance of his official duties. The training  
12 program on the use and effects of chemical agents and their natural  
13 equivalents required under this section shall be approved and certified  
14 in accordance with the provisions of P.L.1961, c.56 (C.52:17B-66 et  
15 seq.).

16 b. Any juvenile detention officer who, pursuant to the provisions  
17 of subsection a. of this section, is authorized to carry a chemical agent  
18 or natural equivalent shall be justified in using or discharging that  
19 agent or equivalent prior to any physical confrontation if the officer  
20 reasonably believes such use or discharge is immediately necessary for  
21 the purpose of protecting himself and to avoid physical harm.

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23 2. This act shall take effect on the first day of the second month  
24 following enactment.

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27 STATEMENT

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29 This bill would authorize an appropriately trained juvenile detention  
30 officer in a county juvenile facility to carry a chemical agent or its  
31 natural equivalent, such as pepper gas, while on duty.

32 To qualify to carry a chemical agent or its natural equivalent while  
33 on duty, a county juvenile detention officer would be required to  
34 successfully complete a training course on the use and effects of  
35 chemical agents and their natural equivalents that has been approved

1 and certified by the Police Training Commission, as prescribed under  
2 P.L.1961, c.56 (C.52:17B-66 et seq.).

3 The bill also authorizes officers who are qualified to carry chemical  
4 agents or their equivalents to use them prior to any physical  
5 confrontation if the officer reasonably believes that their use is  
6 immediately necessary to protect himself and to avoid physical harm.

7 The purpose of the bill is to assure the personal safety of both the  
8 officers and the juveniles in these county facilities.

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13 Authorizes trained county juvenile detention officers to carry chemical  
14 agents while on duty.