

ASSEMBLY, No. 462

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1996

By Assemblymen DeSOPO, ROCCO, Zecker, Roma,
Assemblywoman J. Smith, Assemblymen O'Toole, DiGaetano,
Weingarten, Azzolina, T. Smith, Lance, Geist, Assemblywomen
Crecco, Heck, Assemblymen Malone, Cottrell, Blee, LeFevre
and Kelly

1 AN ACT concerning fingerprinting and photographing of certain
2 persons and amending R.S.53:1-15.

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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. R.S. 53:1-15 is amended to read as follows:
8 53:1-15. The sheriffs, chiefs of police, members of the State Police
9 and any other law enforcement agencies and officers shall, immediately
10 upon the arrest of any person for an indictable offense, or of any
11 person believed to be wanted for an indictable offense, or believed to
12 be an habitual criminal, or within a reasonable time after the filing of
13 a complaint by a law enforcement officer charging any person with an
14 indictable offense, or upon the arrest of any person for shoplifting,
15 pursuant to N.J.S.2C:20-11, or upon the arrest of any person for
16 simple assault pursuant to subsection a. of N.J.S.2C:12-1, or the
17 conviction of any other person charged with a nonindictable offense,
18 where the identity of the person charged is in question, take the
19 fingerprints of such person, according to the fingerprint system of
20 identification established by the Superintendent of State Police and on
21 the forms prescribed, and forward without delay two copies or more
22 of the same, together with photographs and such other descriptions as
23 may be required and with a history of the offense committed, to the
24 State Bureau of Identification.

25 Such sheriffs, chiefs of police, members of the State Police and any
26 other law enforcement agencies and officers shall also take the
27 fingerprints, descriptions and such other information as may be
28 required of unknown dead persons and as required by section 2 of
29 P.L.1982, c.79 (C.2A:4A-61) of juveniles adjudicated delinquent and
30 shall forward same to the State Bureau of Identification.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not
enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 Any person charged in a complaint filed by a law enforcement
2 officer with an indictable offense, who has not been arrested, or any
3 person charged in an indictment, who has not been arrested, shall
4 submit himself to the identification procedures provided herein either
5 on the date of any court appearance or upon written request of the
6 appropriate law enforcement agency within a reasonable time after the
7 filing of the complaint. Any person who refuses to submit to such
8 identification procedures shall be a disorderly person.

9 (cf: P.L.1994, c.56, s.4)

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11 2. This act shall take effect immediately.

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14 STATEMENT

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16 This bill provides for the fingerprinting and photographing of all
17 persons arrested for simple assault. Since simple assault is a
18 disorderly persons offense and not an indictable offense, persons
19 arrested for simple assault are not now photographed and
20 fingerprinted.

21 This bill embodies the recommendation of the New Jersey Supreme
22 Court's "Committee to Review the Conrad Jeffrey Matter." In its
23 report, dated October 1995, the Committee urged the Legislature to
24 consider expanding the scope of offenses which require fingerprinting.
25 The Committee noted that broadening the current statutes concerning
26 fingerprinting would enable law enforcement to provide a more
27 complete criminal history to judges, giving judges a better
28 understanding of a criminal's record prior to sentencing.

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31 _____
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33 Provides for the fingerprinting and photographing of persons arrested
34 for simple assault.