

[First Reprint]
ASSEMBLY, No. 807

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman FARRAGHER, Assemblymen CORODEMUS
and Arnone

1 AN ACT concerning law enforcement officers ¹[.] and¹ supplementing
2 chapter 14 of Title 40A of the New Jersey Statutes ¹[and amending
3 R.S.39:5-41]¹.

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

7
8 1. (New section) The governing body of any county, by ordinance
9 or resolution, as appropriate, may provide for the establishment of a
10 law enforcement crisis intervention services program. The purpose of
11 the program is to provide post traumatic debriefing and counseling
12 services for law enforcement officers who have been involved in
13 incidents which may produce personal or job-related depression,
14 anxiety, stress, or other psychological or emotional tensions, traumas,
15 pressures or disorders.

16 A crisis intervention program established pursuant to this act shall
17 be an independent agency of county government. It shall not be
18 organized as a division, department, bureau, or as any other type of
19 subdivision of any county law enforcement agency or of any other law
20 enforcement department, force or agency of any municipality within
21 the county.

22 To preserve the integrity of the services offered under the program,
23 the facility shall not be located at or adjacent to any law enforcement
24 facility, station or barracks in the county.

25
26 2. (New section) a. ¹[The services provided at] If a county
27 establishes ¹ a crisis intervention program ¹[established]¹ pursuant to
28 this act ¹, the services¹ shall be available to every law enforcement
29 officer employed by any county law enforcement department or
30 agency, or any municipal department, force or agency in the county,

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALP committee amendments adopted March 4, 1996.

1 who is involved in an incident which may produce personal or
2 job-related depression, anxiety, stress, or other psychological or
3 emotional tensions, traumas, pressures or disorders.

4 b. Whenever any officer is involved in a critical incident, that
5 officer shall be required to participate in the center's debriefing and
6 counseling services before returning to active law enforcement duty.

7 For the purpose of this subsection, critical incident shall mean an
8 event involving the firing of a weapon or an exchange of gun fire; an
9 untimely death; injury to or the death of a juvenile; a terrorist act; a
10 hostage situation; injury to or the death of an associate law
11 enforcement officer in the performance of that officer's actual duties;
12 a personal injury or wound received in the performance of the officer's
13 actual duties; and such other incidents or events as the county crisis
14 intervention services advisory council, established pursuant to section
15 4 of this act shall deem appropriate.

16

17 3. (New section) a. The debriefing and counseling services
18 available under ¹[the] ¹a¹ program ¹established pursuant to this act¹
19 shall be provided by appropriately licensed or certified psychologists
20 and social workers who are either employees of the county or under
21 contract to provide such professional services to the county. No
22 employee of a county or municipal law enforcement agency,
23 department or force shall provide any debriefing or counseling services
24 under the program; provided, however, nothing herein shall be
25 construed to prohibit any county or municipal law enforcement
26 agency, department or force from establishing an internal,
27 administrative debriefing and counseling program to identify law
28 enforcement officers who may benefit from the services available
29 under the county crisis intervention program and to refer those officers
30 to those services.

31 b. Former law enforcement officers and other persons who are not
32 licensed or certified as psychologists or social workers and who are
33 not currently employed by any county or municipal law enforcement
34 agency may be employed by the county to provide debriefing and
35 counseling services; provided those former law enforcement officers
36 and other persons are:

37 (1) currently enrolled in an educational program to acquire such
38 licensing or certification; or

39 (2) familiar with the emotional crises and psychological stresses,
40 tensions and anxieties associated with law enforcement duty; or

41 (3) trained to provide specialized or supplemental counseling
42 services involving domestic violence, substance abuse, gambling,
43 marriage and family life, and such other topics as the county crisis
44 intervention service advisory council, established pursuant to section
45 4 of this act, may deem necessary; and

46 (4) perform those debriefing and counseling services under the

1 direct supervision of a licensed or certified psychologist, psychiatrist,
2 or social worker.

3
4 4. (New section) The governing body of a county which
5 establishes a county crisis intervention program pursuant to this act
6 shall, by ordinance or resolution, as appropriate, organize a county
7 crisis intervention services advisory council. The purpose of the
8 council shall be to advise and assist in the organization and
9 development of an effective county crisis intervention program. The
10 council shall consist of a representative of the county Association of
11 Chiefs of Police; a representative of the exclusive bargaining
12 representative or representatives, as the case may be, of the several
13 law enforcement agencies, departments or forces in the county; the
14 County Prosecutor or his designee; a representative of the county
15 Health Department specializing in mental health; a certified or licensed
16 psychologist who is experienced in the diagnosis and treatment of
17 emotional, psychological, or post trauma stress disorders; and such
18 other persons, who by education or experience, the governing body
19 deems appropriate.

20
21 5. (New section) In any county which establishes a law
22 enforcement crisis intervention services program pursuant to P.L. ,
23 c. (C.)(now pending before the Legislature as this bill), there is
24 established a "(Name of County) Law Enforcement Crisis Intervention
25 Services Program Fund" as a nonlapsing, revolving fund. The fund
26 shall be administered by the county treasurer and shall be credited with
27 the monies received pursuant to subsection d. of R.S.39:5-41. Monies
28 in the fund shall be used exclusively to defray the costs incurred in
29 providing crisis intervention services to law enforcement officers in the
30 county.

31
32 ¹[6. R.S.39:5-41 is amended to read as follows:

33 39:5-41. a. All fines, penalties and forfeitures imposed and
34 collected under authority of law for any violations of R.S.39:4-63 and
35 R.S.39:4-64 shall be forwarded by the judge to whom the same have
36 been paid to the proper financial officer of the municipality wherein
37 the violation occurred, to be used by the municipality to help finance
38 litter control activities in addition to or supplementing existing litter
39 pickup and removal activities in the municipality.

40 b. Except as otherwise provided by subsection a. of this section, all
41 fines, penalties and forfeitures imposed and collected under authority
42 of law for any violations of the provisions of this Title, other than
43 those violations in which the complainant is the director, a member of
44 his staff, a member of the State Police, an inspector of the Board of
45 Public Utilities, or a law enforcement officer of any other State
46 agency, shall be forwarded by the judge to whom the same have been

1 paid as follows: one-half of the total amount collected to the financial
 2 officer, as designated by the local governing body, of the respective
 3 municipalities wherein the violations occurred, to be used by the
 4 municipality for general municipal use and to defray the cost of
 5 operating the municipal court; and one-half of the total amount
 6 collected to the proper financial officer of the county wherein they
 7 were collected, to be used by the county as a fund for the
 8 construction, reconstruction, maintenance and repair of roads and
 9 bridges, snow removal, the acquisition and purchase of rights-of-way,
 10 and the purchase, replacement and repair of equipment for use on said
 11 roads and bridges therein. Up to 25% of the money received by a
 12 municipality pursuant to this subsection, but not more than the actual
 13 amount budgeted for the municipal court, whichever is less, may be
 14 used to upgrade case processing.

15 Whenever any county has deposited moneys collected pursuant to
 16 this section in a special trust fund in lieu of expending the same for the
 17 purposes authorized by this section, it may withdraw from said special
 18 trust fund in any year an amount which is not in excess of the amount
 19 expended by the county over the immediately preceding three-year
 20 period from general county revenues for said purposes. Such moneys
 21 withdrawn from the trust fund shall be accounted for and used as are
 22 other general county revenues.

23 c. (Deleted by amendment, P.L.1993, c.293).

24 d. Notwithstanding the provisions of subsection a. and b. of this
 25 section, \$1 shall be added to the amount of each fine, penalty and
 26 forfeiture imposed and collected under authority of law for any
 27 violation of the provisions of Title 39 of the Revised Statutes or any
 28 other motor vehicle or traffic violation in any county which has
 29 established a law enforcement crisis intervention services program
 30 pursuant to P.L. , c. (C.)(now pending before the Legislature as
 31 this bill). The amounts collected pursuant to this subsection shall be
 32 forwarded by the judge to whom they are paid to the county treasurer
 33 who shall deposit them in the " (Name of County) Law Enforcement
 34 Crisis intervention Services Program" established pursuant to section
 35 5 of P.L. , c. (C.)(now pending before the Legislature as this
 36 bill).

37 (cf: P.L.1993, c.293, s.5)]¹

38

39 ¹[7.]6.¹ This act shall take effect immediately ¹, but shall remain
 40 inoperative until the enactment of P.L. , c. (C.)(now pending
 41 before the Legislature as Assembly Bill No. 806 of 1996)¹.

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45 Permits counties to establish crisis intervention programs for law
 46 enforcement officers.