

[Second Reprint]
SENATE, No. 133

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators KYRILLOS and INVERSO

1 AN ACT establishing a toll-free "Law Enforcement Officer Crisis
2 Intervention Services" telephone hotline, supplementing ¹[chapter
3 1 of Title 30 of the Revised Statutes] Title 11A of the New Jersey
4 Statutes¹ and amending ²[N.J.S.2C:64-6] R.S.39:5-40 and
5 R.S.39:5-41².

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

9
10 1. (New section) a. The Commissioner of ¹[Human Services]
11 Personnel¹ shall establish and maintain, on a 24-hour daily basis, a
12 toll-free information "Law Enforcement Officer Crisis Intervention
13 Services" telephone hotline. The hotline shall receive and respond to
14 calls from law enforcement officers ²and sheriff's officers² who have
15 been involved in any event or incident which has produced personal or
16 job-related depression, anxiety, stress, or other psychological or
17 emotional tension, trauma, or disorder for the officer. The operators
18 of the hotline shall seek to identify those officers who should be
19 referred to further debriefing and counseling services, and to provide
20 such referrals.

21 b. The operators of the hotline shall be trained by the commissioner
22 and, to the greatest extent possible, shall be persons, who by
23 experience or education, are: (1) familiar with post trauma disorders
24 and the emotional and psychological tensions, depressions, and
25 anxieties unique to law enforcement officers ²and sheriff's officers²;
26 or (2) trained to provide counseling services involving marriage and
27 family life, substance abuse, personal stress management and other
28 emotional or psychological disorders or conditions which may be likely
29 to adversely affect the personal and professional well-being of a law
30 enforcement officer ²and a sheriff's officer².

31 c. To ensure the integrity of the telephone hotline and to encourage

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 Senate SLP committee amendments adopted February 22, 1996.

² Senate SBA committee amendments adopted June 3, 1996.

1 ²[law enforcement] ²officers to utilize it, the commissioner shall
2 provide for the confidentiality of the names of the officers calling, the
3 information discussed by that officer and the operator, and any
4 referrals for further debriefing or counseling; provided, however, the
5 commissioner may, by rule and regulation, establish guidelines
6 providing for the tracking of any officer who exhibits a severe
7 emotional or psychological disorder or condition which the operator
8 handling the call reasonably believes might result in harm to the officer
9 or others.

10
11 2. (New section) The commissioner shall prepare a list of
12 appropriately licensed or certified psychiatrists, psychologists, and
13 social workers; other appropriately trained and qualified counselors;
14 and experienced former law enforcement officers who are willing to
15 accept referrals and to participate in the debriefing and counseling
16 offered law enforcement officers ²and sheriff's officers² under the
17 provisions of this act.

18
19 3. (New section) In establishing the hotline authorized under the
20 provisions of section 1 of this act, the commissioner shall consult with
21 a representative from the New Jersey Association of Chiefs of Police;
22 a State representative from the New Jersey State Patrolmen's
23 Benevolent Association, Fraternal Order of Police, ²the New Jersey
24 Corrections Officers Association² and any other exclusive bargaining
25 representative for a law enforcement agency; and such others as ²[he]
26 the commissioner² may deem appropriate.

27
28 ²[4. N.J.S.2C:64-6 is amended to read as follows:

29 2C:64-6. Disposal of Forfeited Property. a. Property which has
30 been forfeited shall be destroyed if it can serve no lawful purpose or
31 it presents a danger to the public health, safety or welfare. All other
32 forfeited property or any proceeds resulting from the forfeiture and all
33 money seized pursuant to this chapter shall become the property of the
34 entity funding the prosecuting agency involved and shall be disposed
35 of, distributed, appropriated and used in accordance with the
36 provisions of this chapter.

37 The prosecutor or the Attorney General, whichever is prosecuting
38 the case, shall divide the forfeited property, any proceeds resulting
39 from the forfeiture or any money seized pursuant to this chapter with
40 any other entity where the other entity's law enforcement agency
41 participated in the surveillance, investigation, arrest or prosecution
42 resulting in the forfeiture, in proportion to the other entity's
43 contribution to the surveillance, investigation, arrest or prosecution
44 resulting in the forfeiture, as determined in the discretion of the
45 prosecutor or the Attorney General, whichever is prosecuting the case.
46 Notwithstanding any other provision of law, such forfeited property

1 and proceeds shall be used solely for law enforcement purposes, and
2 shall be designated for the exclusive use of the law enforcement
3 agency which contributed to the surveillance, investigation, arrest or
4 prosecution resulting in the forfeiture.

5 The Attorney General is authorized to promulgate rules and
6 regulations to implement and enforce the provisions of this act.

7 b. For a period of two years from the date of enactment of
8 P.L.1993, c.227 (C.26:4-100.13 et al.), 10% of the proceeds obtained
9 by the Attorney General under the provisions of subsection a. of this
10 section shall be deposited into the Hepatitis Inoculation Fund
11 established pursuant to section 2 of P.L.1993, c.227 (C.26:4-100.13).

12 c. Beginning two years from the date of enactment of P.L.1993,
13 c.227 (C.26:4-100.13 et al.) and in subsequent years, 5% of the
14 proceeds obtained by the Attorney General under the provisions of
15 subsection a. of this section shall be deposited into the Hepatitis
16 Inoculation Fund established pursuant to section 2 of P.L.1993, c.227
17 (C.26:4-100.13).

18 d. From the proceeds obtained by the Attorney General under the
19 provisions of subsection a. of this section, such amounts as shall be
20 necessary shall be appropriated to fund the establishment and
21 operation of the "Law Enforcement Officer Crisis Intervention
22 Services" telephone hotline authorized under the provisions of P.L. ,
23 c. (C.) (now pending before the Legislature as this bill).
24 (cf: P.L.1993, c.227, s.1)]²

25

26 ²4. R.S.39:5-40 is amended to read as follows:

27 39:5-40. a. Except as otherwise provided by this subtitle all
28 moneys received in accordance with the provisions of this Title,
29 whether from fines, penalties, forfeitures, registration fees, license
30 fees, or otherwise, shall be accounted for and forwarded to the
31 [commissioner] Director of the Division of Motor Vehicles, who shall
32 pay the same over to the State Treasurer [, to be credited to the State
33 Highway Fund and used for the purposes of such fund as provided by
34 section 52:22-20 of the Title, State Government, Departments and
35 Officers].

36 b. Notwithstanding the provisions of subsection a. of this section
37 concerning the forwarding of fines, penalties and forfeitures, \$1 shall
38 be added to the amount of each fine, penalty and forfeiture imposed
39 and collected under authority of law for any violation of the provisions
40 of Title 39 of the Revised Statutes or any other motor vehicle or
41 traffic violation in which the complainant is the director, a member of
42 his staff, a member of the State Police, an inspector of the Board of
43 Public Utilities, or a law enforcement officer of any other State
44 agency. In any county that has established a law enforcement crisis
45 intervention services program pursuant to P.L. , c. (C.) (now
46 pending before the Legislature as Senate, No.134 Sca of 1996).

1 \$0.75 of the amount added to each fine, penalty and forfeiture
2 collected pursuant to this subsection in that county shall be forwarded
3 to the county treasurer who shall deposit that amount in the " (Name
4 of County) Law Enforcement Crisis Intervention Services Program
5 Fund" established pursuant to section 5 of P.L. , c. (C.)(now
6 pending before the Legislature as Senate, No.134 Sca of 1996), and
7 in order to defray the costs of the Law Enforcement Officer Crisis
8 Intervention Services telephone hotline established pursuant to P.L. ,
9 c. (C.)(now pending before the Legislature as this bill), \$0.25 of
10 the amount added to each fine, penalty and forfeiture collected
11 pursuant to this subsection shall be forwarded to the State Treasurer.
12 In a county that has not established a crisis intervention services
13 program pursuant to P.L. , c. (C.)(now pending before the
14 Legislature as Senate, No.134 Sca of 1996), the full amount shall be
15 forwarded to the State Treasurer.²
16 (cf: P.L.1942, c.334, s. 8)

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18 ^{25.} R.S.39:5-41 is amended to read as follows:

19 39:5-41. a. All fines, penalties and forfeitures imposed and
20 collected under authority of law for any violations of R.S.39:4-63 and
21 R.S.39:4-64 shall be forwarded by the judge to whom the same have
22 been paid to the proper financial officer of the municipality wherein
23 the violation occurred, to be used by the municipality to help finance
24 litter control activities in addition to or supplementing existing litter
25 pickup and removal activities in the municipality.

26 b. Except as otherwise provided by subsection a. of this section,
27 all fines, penalties and forfeitures imposed and collected under
28 authority of law for any violations of the provisions of this Title, other
29 than those violations in which the complainant is the director, a
30 member of his staff, a member of the State Police, an inspector of the
31 Board of Public Utilities, or a law enforcement officer of any other
32 State agency, shall be forwarded by the judge to whom the same have
33 been paid as follows: one-half of the total amount collected to the
34 financial officer, as designated by the local governing body, of the
35 respective municipalities wherein the violations occurred, to be used
36 by the municipality for general municipal use and to defray the cost of
37 operating the municipal court; and one-half of the total amount
38 collected to the proper financial officer of the county wherein they
39 were collected, to be used by the county as a fund for the
40 construction, reconstruction, maintenance and repair of roads and
41 bridges, snow removal, the acquisition and purchase of rights-of-way,
42 and the purchase, replacement and repair of equipment for use on said
43 roads and bridges therein. Up to 25% of the money received by a
44 municipality pursuant to this subsection, but not more than the actual
45 amount budgeted for the municipal court, whichever is less, may be
46 used to upgrade case processing.

1 Whenever any county has deposited moneys collected pursuant to
 2 this section in a special trust fund in lieu of expending the same for the
 3 purposes authorized by this section, it may withdraw from said special
 4 trust fund in any year an amount which is not in excess of the amount
 5 expended by the county over the immediately preceding three-year
 6 period from general county revenues for said purposes. Such moneys
 7 withdrawn from the trust fund shall be accounted for and used as are
 8 other general county revenues.

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

10 d. Notwithstanding the provisions of subsection a. or b. of this
 11 section concerning the imposition, collection and forwarding of fines,
 12 penalties and forfeitures, \$1 shall be added to the amount of each fine,
 13 penalty and forfeiture imposed and collected under authority of law for
 14 any violation of the provisions of Title 39 of the Revised Statutes or
 15 any other motor vehicle or traffic violation. In any county that has
 16 established a law enforcement crisis intervention services program
 17 pursuant to P.L. , c. (C.)(now pending before the Legislature as
 18 Senate, No.134 Sca of 1996), \$0.75 of the amount added to each
 19 fine, penalty and forfeiture collected pursuant to this subsection in that
 20 county shall be forwarded to the county treasurer who shall deposit
 21 that amount in the " (Name of County) Law Enforcement Crisis
 22 Intervention Services Program Fund" established pursuant to section
 23 5 of P.L. , c. (C.)(now pending before the Legislature as
 24 Senate, No.134 Sca of 1996), and in order to defray the costs of the
 25 Law Enforcement Officer Crisis Intervention Services telephone
 26 hotline established pursuant to P.L. , c. (C.)(now pending
 27 before the Legislature as this bill), \$0.25 of the amount added to each
 28 fine, penalty and forfeiture collected pursuant to this subsection shall
 29 be forwarded to the State Treasurer. In a county that has not
 30 established a crisis intervention services program pursuant to P.L. ,
 31 c. (C.)(now pending before the Legislature as Senate, No.134
 32 Sca of 1996), the full amount shall be forwarded to the State
 33 Treasurer.²

34 (cf: P.L.1993, c.293, s.5)

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 36 ²[5.] 6.² This act shall take effect on the first day of the fourth
 37 month following enactment, but the Commissioner of ¹[Human
 38 Services] Personnel¹ may take such anticipatory administrative action
 39 in advance as shall be necessary for the implementation of the act.

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 43
 44 Establishes "Law Enforcement Officer Crisis Intervention Services"
 45 telephone hotline; imposes \$1 surcharge on motor vehicle fines,
 46 penalties and forfeitures.