

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

[First Reprint]

**SENATE, No. 148**

# **STATE OF NEW JERSEY**

DATED: DECEMBER 11, 1997

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 148 (1R).

Senate Bill No. 148 (1R). Bill No. 148 (1R) requires the principal or chief administrator of an elementary or secondary school who receives information concerning the commission or suspected commission of a criminal offense in the school or on school property to report that information to the police department in the municipality in which the school is located or, in the absence of a police department in the municipality, to the State Police.

The bill specifies that a "criminal offense" includes, but is not limited to, any offense defined in Title 2C of the New Jersey Statutes.

A person who violates the provisions of the bill will be penalized \$500 for a first offense, \$1,000 for a second offense and \$3,000 for a third or subsequent offense. The municipal court where the violation occurred will have jurisdiction over an action to recover these penalties. All penalties are payable to the municipal clerk who is required to deposit them in the municipal treasury. The penalties may be collected in accordance with summary proceedings set forth in the penalty enforcement law (N.J.S.2A:58-1 et seq.).

Under the bill, a principal or responsible administrator who, in good-faith, reports criminal offense information regarding a pupil cannot be held liable for damages in any civil suit resulting from the reporting of this information. When a proceeding brought against a principal or administrator under the bill's provisions is subsequently dismissed or results in a final disposition in favor of the principal or administrator, the principal or administrator is to be indemnified for costs incurred in defending the proceeding, such as counsel fees and expenses incurred in conducting the hearing or trial. A conviction under the bill may not be deemed to be an offense involving dishonesty under N.J.S.2C:51-2, which provides for the forfeiture of public employment if the holder of the position is convicted of an offense involving dishonestly or a third-degree crime or above.