

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 1824**

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 15, 1997

The Assembly Judiciary Committee reports favorably and with committee amendments Senate Committee Substitute for Senate Bill No. 1824.

This bill would establish the "Conflict of Interest Law for County Prosecutors." This law would apply both to county prosecutors and all persons employed in their offices. The law would generally prohibit county prosecutors and their employees from engaging in business or professional activities which conflict with the proper discharge of their duties.

The law would specially prohibit county prosecutors and any employees of county prosecutors from using their official position to secure unwarranted privileges for themselves or others and from acting in an official capacity in matters in which they have a direct or indirect financial interest.

Other provisions of the law would prohibit county prosecutors and their employees from accepting gifts and from engaging in political activities.

In addition, the law would establish restrictions on certain charitable and civic activities and establish post-employment restrictions for assistant prosecutors.

The bill further provides that the Attorney General would be responsible for promulgating and enforcing a Code of Ethics for county prosecutors and their employees. Violations of the code and the Conflict of Interest Law would be punishable by a fine of between \$100.00 and \$500.00. Violations could also be punished by disciplinary actions such as removal, suspension or demotion.

The committee amended section 5 of the substitute, which prohibits any county prosecutor or any employee of a county prosecutor from recommending, contacting or assisting in obtaining counsel to represent any person accused of a criminal offense, by establishing an exception for union representatives. Under the provisions of the amendments a union representative may recommend,

contact or assist in obtaining counsel to represent any county prosecutor or employee of a county prosecutor accused of a criminal offense.

As amended, this substitute is identical to the Assembly Committee Substitute for A-2758/2749.