

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4598  
STATE OF NEW JERSEY  
219th LEGISLATURE

DATED: JUNE 24, 2021

SUMMARY

- Synopsis:** Establishes oversight database to aid in civil service hiring process for law enforcement officers; requires Statewide diversity analysis of law enforcement.
- Type of Impact:** State Expenditure Increase.
- Agencies Affected:** New Jersey Civil Service Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) projects that the enactment of this bill will result in indeterminate increase expenditures to the State due to the bill’s requirement for the Civil Service Commission to establish and maintain a law enforcement background database.
- The OLS notes that this bill may increase annual State expenditures owing to the bill’s provisions requiring the commission to develop universal guidelines and best practices for background investigations relating to thresholds for removal from the candidate list; and for the Division of Equal Employment Opportunity and Affirmative Action in the commission to conduct a Statewide diversity analysis of the ethnic and racial make-up of all law enforcement agencies in the State.

BILL DESCRIPTION

The bill requires the Civil Service Commission to oversee the development and maintenance of a database, which would collect and track the background information received from a law enforcement agency of the State or a political subdivision of the State regarding candidates for the position of law enforcement officer. The database would include all background information received from all candidates and all threshold decisions made for selection or disqualification of candidates by participating law enforcement agencies. The database would exclude any personal

identifying information to prevent compromising personal security and privacy and to ensure a non-biased process. The purpose of the database is to ensure that the commission would have all relevant information from all candidates to better understand the reasoning behind a candidate's selection or disqualification during the hiring process. The bill would also require the commission to develop a universal background application to be used by all law enforcement agencies. The information in the application would be used to uniformly fill in the fields of the database.

The bill requires the commission to develop universal guidelines and best practices for background investigations relating to thresholds for removal from the candidate list. The guidelines and best practices will include training for background investigations to better understand the challenges underrepresented groups disproportionately face. The purpose of the guidelines and best practices is to prevent a failure to adequately account for such challenges during the selection or disqualification process. The bill also requires the commission to switch to a paperless system concerning status updates to candidates and certification notifications. Candidates would also be permitted to submit responses electronically.

The bill also requires the Division of Equal Employment Opportunity and Affirmative Action in the Civil Service Commission, in consultation with various national and State law enforcement agencies, to conduct a Statewide diversity analysis of the ethnic and racial make-up of all law enforcement agencies in the State. The division will submit a written report to the Governor and the Legislature one year after the effective date of the bill.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS projects that the enactment of this bill will result in indeterminate increase expenditures to the State due to the bill's requirement for the Civil Service Commission to establish and maintain a law enforcement background database.

The OLS notes that this bill may increase annual State expenditures owing to the bill's provisions requiring the commission to develop universal guidelines and best practices for background investigations relating to thresholds for removal from the candidate list; and for the Division of Equal Employment Opportunity and Affirmative Action in the commission to conduct a Statewide diversity analysis of the ethnic and racial make-up of all law enforcement agencies in the State.

For purposes of illustration, the Uniform Crime Reporting Program of New Jersey (crime report) incorporates the collection of pertinent data relating to the police of this State. The latest crime report issued stated that, in 2016, there were approximately 47,000 police employees, which included about 10,000 civilian employees.

The OLS notes that the magnitude of the expenditure increases will depend on operating and regulatory decisions by the commission.

*Section:* Commerce, Labor and Industry  
*Analyst:* Juan C. Rodriguez  
 Senior Fiscal Analyst  
*Approved:* Thomas Koenig  
 Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).