

[First Reprint]

ASSEMBLY, No. 4598

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED AUGUST 27, 2020

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman LINDA S. CARTER

District 22 (Middlesex, Somerset and Union)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

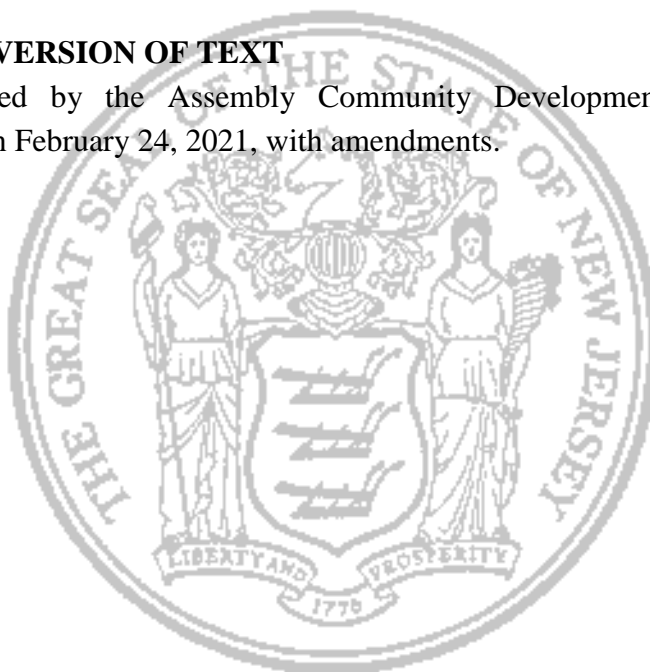
Assemblywoman Murphy

SYNOPSIS

Establishes oversight database to aid in civil service hiring process for law enforcement officers; requires Statewide diversity analysis of law enforcement.

CURRENT VERSION OF TEXT

As reported by the Assembly Community Development and Affairs Committee on February 24, 2021, with amendments.



(Sponsorship Updated As Of: 6/21/2021)

1 AN ACT establishing an oversight database to aid in the civil service
2 hiring process for law enforcement officers and requiring a
3 Statewide diversity analysis of law enforcement, and
4 supplementing Title 11A of the New Jersey Statutes.

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

8
9 1. a. The Civil Service Commission shall oversee the
10 development and maintenance of a database, which shall collect and
11 track the background information received from a law enforcement
12 agency of the State, or a political subdivision of the State that has
13 adopted the provisions of Title 11A of the New Jersey Statutes,
14 regarding candidates for the position of law enforcement officer.

15 b. The database shall be considered confidential and shall be used
16 only by the commission and participating law enforcement agencies
17 across the State. The database shall not be subject to public access,
18 inspection, or copying pursuant to P.L.1963, c.73 (C.47:1A-1 et
19 seq.)¹**], or the common law concerning access to public records]**¹.

20 c. (1) The information maintained in the database shall be
21 determined by the commission, in consultation with various national
22 and State law enforcement organizations, and shall include:

23 (a) all background information received from all candidates; and

24 (b) threshold decisions made for selection or disqualification of
25 candidates by law enforcement agencies.

26 (2) The information maintained in the database shall exclude
27 personal identifying information of candidates to prevent
28 compromising personal privacy and security and to ensure a non-
29 biased selection process.

30 d. The commission, in consultation with various national and State
31 law enforcement organizations, shall develop universal guidelines and
32 best practices for background investigations relating to threshold
33 decisions for removal from the candidate list. The guidelines and best
34 practices shall include training for background investigations to better
35 understand the challenges underrepresented groups disproportionately
36 face to prevent a failure to adequately account for such challenges
37 during the selection or disqualification process.

38 e. The commission, in consultation with various national and State
39 law enforcement organizations, shall establish a universal background
40 application to be utilized in the hiring process for police officers by all
41 law enforcement agencies. The universal application shall be used to
42 provide the information contained in the database established pursuant
43 to subsection a. of this section.

44 f. The Chair of the Civil Service Commission may adopt rules and
45 regulations to effectuate the provisions of P.L. , c. (C.)(pending

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACD committee amendments adopted February 24, 2021.

1 before the Legislature as this bill). The rules and regulations shall be
2 effective immediately upon filing with the Office of Administrative
3 Law for a period not to exceed 18 months, and may, thereafter, be
4 amended, adopted or readopted in accordance with the provisions of
5 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
6 seq.).

7 g. As used in this section:

8 "National and State law enforcement organizations" means
9 organizations such as the National Organization of Black Law
10 Enforcement Executives (NOBLE), the New Jersey chapter of
11 NOBLE, and the Hispanic American Law Enforcement Association.

12 "Personal identifying information" means information that may be
13 used, alone or in conjunction with any other information, to identify a
14 specific individual and includes, but is not limited to, the name,
15 address, e-mail address, social media address, telephone number, fax
16 number, date of birth, social security number, driver's license number,
17 official State issued identification number, employer or taxpayer
18 number, place of employment, telephone number of employment,
19 employee identification number, school address, school phone number,
20 student identification number, mother's maiden name, unique
21 biometric data, such as fingerprint, voice print, retina, or iris image, or
22 other unique physical representation, unique electronic identification
23 number, medical diagnoses, treatments, or other medical information
24 concerning an identifiable person
25

26 2. Timely notifications of candidate status and certification
27 notifications shall be disseminated by the Civil Service Commission
28 electronically via e-mail or text message, dependent on the
29 candidate's preferred option, to be indicated on the universal
30 application established pursuant to subsection e. of section 1 of
31 P.L. , c. (C.)(pending before the Legislature as this bill).
32 Responses from candidates to certification notifications shall be
33 submitted electronically to the commission via e-mail. Status
34 notifications and certifications from the commission and responses
35 from candidates shall be accurately logged and received in the
36 database established pursuant to subsection a. of section 1 of
37 P.L. , c. (C.)(pending before the Legislature as this bill).
38

39 3. a. The Division of Equal Employment Opportunity and
40 Affirmative Action in the Civil Service Commission, in
41 consultation with various national and State law enforcement
42 agencies, as defined in section 1 of P.L. , c. (C.)(pending
43 before the Legislature as this bill), shall conduct a Statewide
44 diversity analysis of the ethnic and racial make-up of all law
45 enforcement agencies in the State.

46 b. The division shall prepare and submit a written report within

A4598 [1R] REYNOLDS-JACKSON, CARTER

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1 one year of the effective date of this act, to the Governor and,
2 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
3 Legislature.

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5 4. This act shall take effect immediately.