

ASSEMBLY, No. 5792

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 1, 2021

Sponsored by:

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

SYNOPSIS

Requires law enforcement agencies to establish review council in internal affairs unit to investigate law enforcement officers who participate in hate groups.

CURRENT VERSION OF TEXT

As introduced.



A5792 MCKNIGHT

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1 AN ACT concerning law enforcement and amending P.L.1996,
2 c.115.

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

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7 1. Section 10 of P.L.1996, c.115 (C.40A:14-181) is amended to
8 read as follows:

9 10. a. Every law enforcement agency, including a police
10 department of an institution of higher education established
11 pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.), shall adopt and
12 implement guidelines which shall be consistent with the guidelines
13 governing the "Internal Affairs Policy and Procedures" of the Police
14 Management Manual promulgated by the Police Bureau of the
15 Division of Criminal Justice in the Department of Law and Public
16 Safety, and shall be consistent with any tenure or civil service
17 laws, and shall not supersede any existing contractual agreements.

18 b. The "Internal Affairs Policy and Procedures" of the Police
19 Management Manual shall require that the internal affairs unit or
20 function of each law enforcement agency in this State to establish
21 an extremist review council. The council shall investigate official
22 misconduct complaints alleging that a law enforcement officer
23 engaged in misconduct while on or off duty by making public
24 expressions of hate, participating in hate groups activities, or being
25 a member of a hate group.

26 As used in this subsection,

27 "Hate group" means an organization that supports, advocates for,
28 threatens, or practices genocide or violence toward any group of
29 persons based on their race, ethnicity, nationality, religion, gender,
30 gender identity, sexual orientation, or disability.

31 "Public expression of hate" means an explicit expression made in
32 writing or speech by a law enforcement officer while on or off duty
33 in a public forum, including, but not limited to, social media in a
34 public or private discussion forum to advocate for, support, or
35 threaten the genocide or violence toward any group of persons
36 based on their race, ethnicity, nationality, religion, gender, gender
37 identity, sexual orientation, or disability.

38 (cf: P.L.2015, c.52, s.1)

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40 2. This act shall take effect on the first day of the fourth month
41 next following the date of enactment but the Attorney General may
42 take any anticipatory action in advance thereof as shall be necessary
43 for the implementation of this act.

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.

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STATEMENT

This bill requires the Division of Law and Public Safety to revise the “Internal Affairs Policy and Procedures” of the Police Management Manual to require that the internal affairs unit or function of each law enforcement agency in this State to establish an extremist review council.

Under current law, every law enforcement agency in the State is required to adopt and implement guidelines consistent with those governing the “Internal Affairs Policy and Procedures” of the Police Management Manual promulgated by the Police Bureau of the Division of Criminal Justice in the Department of Law and Public Safety.

Under the bill, these guidelines are to be revised to require each law enforcement agency to establish an extremist review council that would investigate official misconduct complaints alleging that a law enforcement officer engaged in misconduct while on or off duty by making public expressions of hate, participating in hate groups activities, or being a member of a hate group.