

§§1,2
C.11A:4-1.4 and
11A:4-1.5
§3
T & E

P.L. 2021, CHAPTER 236, *approved September 28, 2021*
Senate, No. 2767 (*Second Reprint*)

1 AN ACT establishing an ²**[oversight]**² database to aid in the civil
2 service hiring process for ²certain² law enforcement officers and
3 requiring a 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 ²and manage²
10 the development and maintenance of a database, which shall collect
11 and track the background information received from a law
12 enforcement agency of the State, or a political subdivision of the State
13 that has adopted the provisions of Title 11A of the New Jersey
14 Statutes, regarding candidates for the position of ²entry-level² law
15 enforcement officer ²in any county or municipal police department.
16 All such law enforcement agencies shall participate and provide to the
17 commission any requested information².

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

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

26 (a) all background information received from all candidates; and
27 (b) threshold decisions made for selection or disqualification of
28 candidates by law enforcement agencies.

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

33 d. The commission, in consultation with various national and State
34 law enforcement organizations, shall develop universal guidelines and
35 best practices for background investigations relating to threshold
36 decisions for removal from the candidate list. The guidelines and best
37 practices shall include training for background investigations to better

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:

¹Senate floor amendments adopted August 27, 2020.

²Assembly floor amendments adopted June 21, 2021.

1 understand the challenges underrepresented groups disproportionately
2 face to prevent a failure to adequately account for such challenges
3 during the selection or disqualification process.

4 e. The commission, in consultation with various national and State
5 law enforcement organizations, ²local appointing authorities, and
6 applicable employee collective negotiations agents,² shall establish a
7 universal background application to be utilized in the hiring process
8 for police officers by all law enforcement agencies. The universal
9 application shall be used to provide the information contained in the
10 database established pursuant to subsection a. of this section.

11 f. The Chair of the Civil Service Commission may adopt rules and
12 regulations to effectuate the provisions of P.L. , c. (C.)(pending
13 before the Legislature as this bill). The rules and regulations shall be
14 effective immediately upon filing with the Office of Administrative
15 Law for a period not to exceed 18 months, and may, thereafter, be
16 amended, adopted or readopted in accordance with the provisions of
17 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
18 seq.).

19 g. As used in this section:

20 ²"Law enforcement agency" means and includes any county or
21 municipal police department.²

22 "National and State law enforcement organizations" means
23 organizations such as the National Organization of Black Law
24 Enforcement Executives (NOBLE), the New Jersey chapter of
25 NOBLE, and the Hispanic American Law Enforcement Association.

26 "Personal identifying information" means information that may be
27 used, alone or in conjunction with any other information, to identify a
28 specific individual and includes, but is not limited to, the name,
29 address, e-mail address, social media address, telephone number, fax
30 number, date of birth, social security number, driver's license number,
31 official State issued identification number, employer or taxpayer
32 number, place of employment, telephone number of employment,
33 employee identification number, school address, school phone number,
34 student identification number, mother's maiden name, unique
35 biometric data, such as fingerprint, voice print, retina, or iris image, or
36 other unique physical representation, unique electronic identification
37 number, medical diagnoses, treatments, or other medical information
38 concerning an identifiable person.

39
40 2. Timely notifications of candidate status and certification
41 notifications shall be disseminated by the Civil Service Commission
42 electronically via ²mail,² e-mail or text message, dependent on the
43 candidate's preferred option, to be indicated on the universal
44 application established pursuant to subsection e. of section 1 of P.L. ,
45 c. (C.)(pending before the Legislature as this bill). Responses
46 from candidates to certification notifications shall be submitted
47 electronically to the commission via e-mail ²or by mail². Status

1 notifications and certifications from the commission and responses
2 from candidates shall be accurately logged and received in the
3 database established pursuant to subsection a. of section 1 of P.L. , c.
4 (C.)(pending before the Legislature as this bill).

5
6 3. a. The ²【Division of Equal Employment Opportunity and
7 Affirmative Action in the】² Civil Service Commission, in consultation
8 with various national and State law enforcement agencies, as defined
9 in section 1 of P.L. , c. (C.)(pending before the Legislature as this
10 bill), shall conduct ², or select a qualified vendor to conduct,² a
11 Statewide diversity analysis of the ethnic and racial make-up of all law
12 enforcement agencies in the State.

13 ²All law enforcement agencies in this State shall participate and
14 provide to the commission any requested information, whether or not
15 the agency operates pursuant to the provisions of Title 11A of the New
16 Jersey Statutes.²

17 b. The ²【division】 commission² shall prepare and submit a
18 written report within one year of ²【the effective date of this act,】
19 completion of the study² to the Governor and, pursuant to section 2 of
20 P.L.1991, c.164 (C.52:14-19.1), to the Legislature.

21
22 4. This act shall take effect immediately.

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26
27 Establishes database to aid in civil service hiring process for
28 certain law enforcement officers; requires Statewide diversity
29 analysis of law enforcement.