

CHAPTER 236

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

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

C.11A:4-1.4 Development, maintenance of database of entry-level law enforcement officer candidates.

1. a. The Civil Service Commission shall oversee and manage the development and maintenance of a database, which shall collect and track the background information received from a law enforcement agency of the State, or a political subdivision of the State that has adopted the provisions of Title 11A of the New Jersey Statutes, regarding candidates for the position of entry-level law enforcement officer in any county or municipal police department. All such law enforcement agencies shall participate and provide to the commission any requested information.

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

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

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

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

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

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

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

f. The Chair of the Civil Service Commission may adopt rules and regulations to effectuate the provisions of P.L.2021, c.236 (C.11A:4-1.4 et seq.). The rules and regulations shall be effective immediately upon filing with the Office of Administrative Law for a period not to exceed 18 months, and may, thereafter, be amended, adopted or readopted in accordance with the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

g. As used in this section:

“Law enforcement agency” means and includes any county or municipal police department.

“National and State law enforcement organizations” means organizations such as the National Organization of Black Law Enforcement Executives (NOBLE), the New Jersey chapter of NOBLE, and the Hispanic American Law Enforcement Association.

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

C.11A:4-1.5 Notification of candidate status; certification notifications.

2. Timely notifications of candidate status and certification notifications shall be disseminated by the Civil Service Commission electronically via mail, e-mail or text message, dependent on the candidate's preferred option, to be indicated on the universal application established pursuant to subsection e. of section 1 of P.L.2021, c.236 (C.11A:4-1.4). Responses from candidates to certification notifications shall be submitted electronically to the commission via e-mail or by mail. Status notifications and certifications from the commission and responses from candidates shall be accurately logged and received in the database established pursuant to subsection a. of section 1 of P.L.2021, c.236 (C.11A:4-1.4).

3. a. The Civil Service Commission, in consultation with various national and State law enforcement agencies, as defined in section 1 of P.L.2021, c.236 (C.11A:4-1.4), shall conduct, or select a qualified vendor to conduct, a Statewide diversity analysis of the ethnic and racial make-up of all law enforcement agencies in the State.

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

b. The commission shall prepare and submit a written report within one year of completion of the study to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature.

4. This act shall take effect immediately.

Approved September 28, 2021.