

CHAPTER 120

AN ACT concerning the collection and reporting of certain prosecutorial and criminal justice data and supplementing Title 52 of the Revised Statutes.

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

C.52:17B-111.1 Attorney General to establish a program to collect, record, analyze data regarding certain defendants.

1. a. The Attorney General, in consultation with the Division of State Police, county prosecutors offices, Administrative Office of the Courts, and Department of Corrections, shall establish a program to collect, record, and analyze data regarding defendants in this State who are age 18 or older at the time of the commission of an alleged indictable offense or disorderly persons offense. In furtherance of this program, the Attorney General shall compile data collected from the time a defendant enters the State's criminal justice system, by arrest, charge, or other action, through the final disposition of the defendant's case. The data shall include information concerning the race, ethnicity, gender, and age of the defendant and be compiled in accordance with the standards of the classification of federal data on race and ethnicity established by the federal Office of Management and Budget. The data shall include, but not be limited to, data concerning:

- (1) warrants, arrests, charges, filing of criminal complaints, and indictments;
- (2) dismissed or downgraded charges;
- (3) cases which proceed to trial, and the disposition of cases, including convictions and guilty pleas;
- (4) admission to diversionary programs, including data on program applications, and any prosecutorial or court consent or denial for a defendant's entry into diversionary programs;
- (5) cases involving victims, including the race, ethnicity, gender, and age of the defendant and victims in those cases;
- (6) plea agreement negotiations, including data concerning plea offers extended and accepted or rejected by the defendant, plea agreements entered or rejected by the court, and whether the plea agreements involved probation or incarceration;
- (7) court fees and fines; and
- (8) restitution amounts ordered, including any amount collected by the court and paid to a victim.

b. The Division of State Police, county prosecutor's offices, Administrative Office of the Courts, Department of Corrections, Office of the Public Defender, and county and municipal police departments shall cooperate with the Attorney General in the implementation of this program, and shall assist in the collection, recording, compilation and provision of data in furtherance of the program to the extent and in the manner required by the Attorney General.

c. Nothing in this section shall be construed to authorize the disclosure of any confidential or personal identifying information. For the purposes of this section, "personal identifying information" shall include, but not be limited to, name and any aliases, address, social security number, telephone number, fax number, driver's license number, email address, or social media address of any defendant or victim.

d. The Attorney General shall prepare and publish on its Internet website annual reports summarizing the data collected, recorded, and analyzed pursuant to this section.

e. The Attorney General shall, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), annually prepare and transmit to the Governor and the Legislature the reports required in this section.

f. The Attorney General may utilize the services of any public or private entity or entities for the performance of activities in furtherance of the program established under this section, and may enter into agreements for those purposes as the Attorney General deems advisable.

2. This act shall take effect on the first day of the thirteenth month next following the date of enactment, except the Office of the Attorney General, Division of State Police, county prosecutor's offices, Administrative Office of the Courts, Department of Corrections, Office of the Public Defender, and county and municipal police departments may take any anticipatory action in advance thereof as may be necessary to implement the provisions of this act.

Approved November 9, 2020.