

Did you know?!?

- (1) New Jersey has lagged behind licensing laws for its law enforcement and only required a statewide licensing program in June of 2020 ([Read More](#))
- (2) Police transparency continues to be a lagging issue in NJ where it lags behind states like Florida, New York, California and Alabama. “The public can learn about allegations of misconduct against lawyers, judges, plumbers and manicurists. We deserve no less for the profession we empower to carry weapons and use force.” - Alexander Shalom, Director of Supreme Court Advocacy for American Civil Liberties Union of New Jersey.
- (3) Newark cops, with reform, didn’t fire a single shot in 2020. ([Read More](#))
- (4) You can get pulled over in NJ for pretext stops for things like air fresheners, tinted windows, and license plate holder leading to selective policing. ([Read More](#) [[Documentary Link](#)])
- (5) The brutal use of chokeholds by law enforcement has no place in New Jersey’s policing. While New Jersey has Attorney General guidance against their use, it contains loopholes. NJ lags behind states like Connecticut, California, Florida and New York on this issue.

NJ Legislative Summary ([Bill Look Up](#))

Bill Name	Purpose	Status
S2656/A5301	Requires access to law enforcement disciplinary records as government records; requires such records to be retained for certain period of time.	<p>S2656 – 6/30/2020 Introduced in the Senate, Referred to Senate State Government, Wagering, Tourism & Historic Preservation Committee 5/6/2021 Transferred to Senate Budget and Appropriations Committee</p> <p>A5301 1/27/2021 Introduced, Referred to Assembly Law and Public Safety Committee</p>
S2963/A4656	Authorizes creation of local civilian review boards to review police operations and conduct; appropriates \$600,000.	<p>S2963 - 9/24/2020 Introduced in the Senate, Referred to Senate Law and Public Safety Committee</p> <p>A4656 - 9/17/2020 Introduced, Referred to Assembly Community Development and Affairs Committee 3/17/2021 Reported out of Assembly Comm. with Amendments, 2nd Reading-</p>
A4578	Establishes certain restrictions on qualified immunity defense for public employees.	8/25/2020 Introduced, Referred to Assembly Law and Public Safety Committee
A5729	Prohibits municipal ordinances from requiring license tag to use bicycles within municipality.	5/17/2021 Introduced, Referred to Assembly Judiciary Committee
S2617/A4284	Establishes crime of law enforcement officer choking another person; designated as George Floyd's Law.	<p>S2617 - 6/25/2020 Introduced in the Senate, Referred to Senate Law and Public Safety Committee</p> <p>A4284 - 6/18/2020 Introduced, Referred to Assembly Community</p>

		Development and Affairs Committee
S3366/A5505	Establishes right to record law enforcement activity under certain circumstances.	S3366 - 1/21/2021 Introduced in the Senate, Referred to Senate Law and Public Safety Committee A5505 - 3/17/2021 Introduced, Referred to Assembly Law and Public Safety Committee

Internal affairs records

Legislative Bills: S2656/A5301; introduced in June 2020, has yet to get a public hearing, a basic first step in how a bill becomes law.

What's the issue?

Police departments shield information from the public about officers who commit misconduct. Concealing that information undercuts community control and prioritizes police who abuse power over the communities who bear the damage.

New Jersey is one of 20 states that treat police internal affairs records like state secrets.

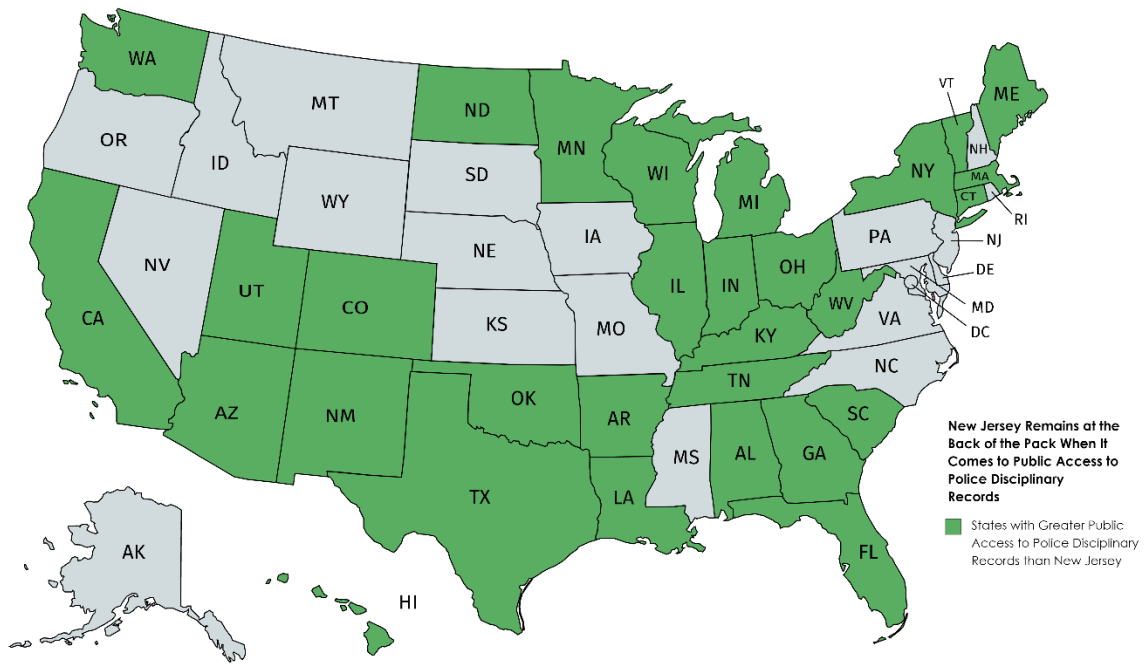
You cannot get them through the state's primary records law, the Open Public Records Act. They sometimes surface in civil lawsuits, but often under seal. And government employees who leak them to the media or others can face criminal prosecution.

That puts the Garden State behind most other states, such as Florida, where a wide array of internal affairs records are open to public inspection.

Last year, the attorney general [ordered all police departments](#) in the state to produce annual reports identifying police officers subject to "major discipline." But [the state's major police unions sued](#), arguing that "major discipline" was too broad a term and would unfairly tar officers punished for minor infractions.

Legislation sponsored by state Sen. Loretta Weinberg, D-Bergen, [would make](#) a host of police internal affairs records public, including:

"[C]omplaints, allegations, and charges; the name of the officer complained of or charged; the transcript of any disciplinary trial or hearing, including any exhibits; the disposition of any proceeding; and the final written opinion or memorandum supporting the disposition and discipline imposed including the agency's complete factual findings and its analysis of the conduct and appropriate discipline of the covered officer; and internal affairs records; and videos that record incidents that gave rise to complaints, allegations, charges, or internal affairs investigations."



'Pretext' stops

Legislative Bills: TBD

What's the issue?

"It's an empty shell of a statute," said Karen Thompson, a senior staff attorney at the American Civil Liberties Union of New Jersey, which has challenged the license plate law.

"The air fresheners, the busted brake light. There's a way in which the need to criminalize is about legitimizing what law enforcement does (to people of color)."

Civilian review boards

Legislative Bills: S2963/A4656

What's the issue?

People must have the ability to create civilian oversight structures in cooperation with their local governments. These Civilian Review Boards must have authority to investigate, set policy, and hold officers responsible for their actions.

New Jersey's ability to empower these oversight boards with the authority to seize and scrutinize police records have met major resistance.

The state Supreme Court [last August ruled](#) that Newark's civilian review board was not entitled to subpoena power under current law, effectively crippling the ability of the board's members to dig deep into police practices.

One of the dissenters was Chief Justice Stuart Rabner, who wrote that "without the power to compel witnesses and other evidence by subpoena, it is difficult to see how the (review board) or a similar review board could gather the information it would need."

Why hasn't the Civilian Complaint Review Board (CCRB) [bill \(A4272\) been passed to create independent bodies](#) of community members who investigate civilian complaints against police officers?

The bill (A-4656) would establish a civilian review board in every municipality to review and investigate complaints against members of the police force of the municipality. ... It also aims to foster more productive and positive relations between police and communities, wherever they serve."

Qualified immunity

Legislative Bills: A4578; introduced by Assemblyman Benjie Wimberly, D-Passaic, last August limiting qualified immunity for police officers awaits a public hearing.

What's the issue?

Why hasn't New Jersey joined [New York City](#), [Colorado](#) and [New Mexico](#) and ended qualified immunity? Protecting law enforcement officers from civil liability for violating the civil rights of community members is unjustified. Police are meant to protect and serve the public; when they violate their rights, they should be held accountable.

The high-profile police killings of unarmed Black men have brought front-and-center an obscure legal precedent that often protects police from civil liability when they kill a person.

Even when courts find an officer has violated someone's constitutional rights, they can still be protected from lawsuits.

Supporters of qualified immunity say it's crucial to insulate public employees from the unforeseen consequences of their good-faith decisions. Critics of the doctrine say it has allowed officers who committed blatant misconduct acknowledged by their own police departments to avoid civil penalties.

Bicycle Licenses

Legislative Bill: A5729; introduced by Asw Yvonne Lopez on 05-27-2021

What's the issue?

Bike rules [vary from town to town](#), and at least [Union](#) and [Fair Lawn](#) also require some form of license.

The Perth Amboy incident occurred amid a national conversation about when and where officers should step in.

Videos posted earlier this year showed teenagers riding BMX-style bicycles on streets where they sometimes weaved onto the wrong side of the road and rode against traffic. They were eventually stopped by cops.

“You guys are supposed to have licenses,” one officer can be heard saying. A [Perth Amboy municipal ordinance](#) requires bicycle tags.

One teen was briefly detained and four confiscated bikes appeared to be returned, but the local prosecutor's office [still opened an investigation](#) and critics said [police were unnecessarily heavy handed](#) during parts of the interaction. One expert said the encounter served as an unfortunate reminder that [Black cyclists bear the brunt of traffic enforcement](#).

The bill ([A5729](#)) would also override any town that currently requires residents to register their bikes.

Banning of Chokeholds

Legislative Bill: S2617/A4284 (S3825/A4526 would categorize chokeholds as deadly force)

What's the issue?

If we all agree that the knee on George Floyd's neck was so despicable, why can't we agree that this should be completely banned in New Jersey? Chokeholds are inhumane and deadly. Let's enter the 21st century and ban this torturous practice.

Pass S2617/A4284 and A4526.

Codifying limitations on the use of force by police is a key first step towards limiting chokeholds and deadly use of force.

Videotaping Police

Legislative Bill: S3366/A5505

What's the Issue?

Why hasn't every police department in this state followed Newark's example by creating a policy that reaffirms and protects an individual's First Amendment right to record police on the street? Would Mr. Floyd's murderer have been convicted without the bravery of Darnella Frazier, who recorded the violence?

We need to pass S3366, which would [allow lawsuits against police](#) who prevent people from recording them.

Communities Pilot Program Bill

Legislative Bills: A4663/S2924

What's the issue?

As we look forward to building a world with reduced law enforcement, New Jersey, as its first step, needs to pass the Restorative and Transformative Justice for Youth and [Communities Pilot Program Bill \(A4663/S2924\)](#). For a fraction of the [staggering cost](#) of \$445,504 that the state pays for each youth it incarcerates, this bill will set up programs to provide critically needed services to reduce violence, to divert youth from the system and to serve youth reentering their communities following incarceration.