



**VETO MESSAGE:** Yes (Conditional)

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

"Criminal justice bills signed." The Times, (Trenton, NJ), October 22, 2020: 013.

"MURPHY APPROVES POLICE BODY CAMS, BUT THERE'S NO MONEY." The Record (Hackensack, NJ), November 26, 2020: A4.

"NJ cops must wear body cameras under new laws." The Jersey Journal (Jersey City, NJ), November 25, 2020: 052.

"Murphy mandates body cams Gov. Phil Murphy signs bill requiring all law enforcement officers to wear body cameras." The Press of Atlantic City (NJ), November 25, 2020: 1A.

"N.J. cops must wear body cameras under new laws Legislators create more protections for residents caught on camera." South Jersey Times (NJ), November 25, 2020: 001.

"New Jersey governor signs bill requiring police body cameras." Associated Press State Wire: New Jersey (NJ), November 24, 2020.

"Gov. signs laws to bring changes to the use of body worn cameras by law enforcement." Cranbury Press (NJ), November 24, 2020.

Also: EO-201, referenced in Governor's Press Release

RWH/CL

P.L. 2020, CHAPTER 128, *approved November 24, 2020*  
Senate, No. 1163 (*Third Reprint*)

1 AN ACT concerning law enforcement officers and supplementing  
2 chapter 14 of Title 40A of the New Jersey Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. a. Notwithstanding the provisions of any other law to the  
8 contrary <sup>3</sup>and subject to the limit of funds appropriated or otherwise  
9 made available for this purpose<sup>3</sup>, every <sup>1</sup>uniformed<sup>1</sup> State, county,  
10 and municipal <sup>1</sup>patrol<sup>1</sup> law enforcement officer shall wear a <sup>1</sup>body  
11 worn<sup>1</sup> camera that electronically records audio and video while  
12 acting in the performance of <sup>1</sup>**his** <sup>1</sup>the officer's<sup>1</sup> official duties <sup>2</sup>,  
13 except:

14 (1) while engaging in an undercover assignment;

15 (2) when assigned to non-uniformed duties;

16 (3) while serving in an administrative position within the  
17 department;

18 (4) while meeting with a confidential informant;

19 (5) while engaging in union representation of a member of the  
20 collective bargaining group;

21 (6) when directed by the Chief or a superior officer for a lawful  
22 purpose;

23 (7) a detective or investigator of a county prosecutor's office or  
24 Division of Criminal Justice when authorized by the County  
25 Prosecutor or Attorney General; or

26 (8) <sup>3</sup>**at the request of a member of the public pursuant to rules**  
27 **developed** as may be otherwise provided in accordance with  
28 guidelines or directives promulgated<sup>3</sup> by the Attorney General<sup>2</sup>.

29 b. <sup>3</sup>**The** In addition to funding provided through the annual  
30 appropriations act, the<sup>3</sup> <sup>1</sup>body worn<sup>1</sup> cameras required by  
31 subsection a. of this section <sup>3</sup>**shall** may<sup>3</sup> be funded by forfeiture  
32 funds collected pursuant to N.J.S.2C:64-6, in an amount to be  
33 determined by the Attorney General <sup>3</sup>, or any other source of  
34 funding made available for this purpose, including but not limited  
35 to federal grants<sup>3</sup>.

**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:

<sup>1</sup>Senate SLP committee amendments adopted August 25, 2020.

<sup>2</sup>Assembly floor amendments adopted August 27, 2020.

<sup>3</sup>Senate amendments adopted in accordance with Governor's recommendations October 29, 2020.

1       <sup>1</sup>c. For the purposes of this section, “body worn camera” means  
2 a mobile video recording system worn by a law enforcement  
3 officer.<sup>1</sup>

4  
5       2. The Attorney General is authorized to promulgate <sup>3</sup>or revise<sup>3</sup>  
6 guidelines or directives, as appropriate, to implement and enforce  
7 the provisions of P.L.     , c.     (C.     ) (pending before the  
8 Legislature as this bill).

9  
10       3. This act shall take effect <sup>1</sup>[on the first day of the sixth  
11 month following] immediately, but shall remain inoperative until  
12 the<sup>1</sup> <sup>3</sup>[enactment <sup>1</sup>into law] effective date<sup>3</sup> of P.L.     , c.     (C.     )  
13 (pending before the Legislature as Senate Bill No. 101 or Assembly  
14 Bill No. 4312 of 2020)<sup>1</sup>, but the Attorney General may take such  
15 administrative action in advance as shall be necessary for the  
16 implementation of the act.

17

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21       \_\_\_\_\_

Requires law enforcement officers to wear body cameras.

**SENATE, No. 1163**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED FEBRUARY 3, 2020

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

Requires law enforcement officers to wear body cameras.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning law enforcement officers and supplementing  
2 chapter 14 of Title 40A of the New Jersey Statutes.

3

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

6

7 1. a. Notwithstanding the provisions of any other law to the  
8 contrary, every State, county, and municipal law enforcement  
9 officer shall wear a camera that electronically records audio and  
10 video while acting in the performance of his official duties.

11 b. The cameras required by subsection a. of this section shall  
12 be funded by forfeiture funds collected pursuant to N.J.S.2C:64-6,  
13 in an amount to be determined by the Attorney General.

14

15 2. The Attorney General is authorized to promulgate guidelines  
16 or directives, as appropriate, to implement and enforce the  
17 provisions of P.L. , c. (C. ) (pending before the Legislature  
18 as this bill).

19

20 3. This act shall take effect on the first day of the sixth month  
21 following enactment, but the Attorney General may take such  
22 administrative action in advance as shall be necessary for the  
23 implementation of the act.

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STATEMENT

27

28 This bill requires law enforcement officers to wear body  
29 cameras. Specifically, under the provisions of this bill, every State,  
30 county, and municipal law enforcement officer is required to wear a  
31 camera that electronically records audio and video while acting in  
32 the performance of his or her official duties.

33 Under this bill, the cameras are to be funded by forfeiture funds  
34 received by the Attorney General as instrumentalities of crime.  
35 Finally, the bill authorizes the Attorney General to promulgate  
36 guidelines or directives.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 1163**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: AUGUST 21, 2020

The Senate Law and Public Safety Committee reports without recommendation and with committee amendments Senate Bill No. 1163.

As amended and reported by the committee, Senate Bill No. 1163 requires law enforcement officers to wear body worn cameras.

The amended bill specifically requires every uniformed State, county, and municipal patrol law enforcement officer to wear a body worn camera that electronically records audio and video while acting in the performance of the officer's official duties. "Body worn camera" is defined as a mobile video recording system worn by a law enforcement officer.

The body worn cameras are to be funded by forfeiture funds received by the Attorney General as instrumentalities of crime. The amended bill authorizes the Attorney General to promulgate guidelines or directives.

As amended, the bill is effective immediately, but remains inoperative until Senate Bill No. 101 or Assembly Bill 4312 is enacted. Those bills govern the use of body worn cameras by law enforcement officers.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) narrow the scope of the body worn camera requirement to uniformed patrol law enforcement officers;
- (2) define "body worn" cameras; and
- (3) link the effective date to Senate Bill No. 101 or Assembly Bill No. 4312 of the 2020-21 legislative session.

STATEMENT TO  
[First Reprint]  
**SENATE, No. 1163**

with Assembly Floor Amendments  
(Proposed by Assemblywoman TUCKER)

ADOPTED: AUGUST 27, 2020

These Assembly amendments provide exceptions to the requirement under the bill that every uniformed State, county, and municipal patrol law enforcement officer wear a body worn camera that electronically records audio and video while acting in the performance of the officer's official duties.

As provided in the amendments, the exceptions to wearing a body worn camera include:

- (1) while engaging in an undercover assignment;
- (2) when assigned to non-uniformed duties;
- (3) while serving in an administrative position within the Department;
- (4) while meeting with a confidential informant;
- (5) while engaging in union representation of a member of the collective bargaining group;
- (6) when directed by the Chief or a superior officer for a lawful purpose;
- (7) a detective or investigator of a county prosecutor's office or Division of Criminal Justice when authorized by the County Prosecutor or Attorney General; or
- (8) at the request of a member of the public pursuant to rules developed by the Attorney General.



# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## SENATE, No. 1163 STATE OF NEW JERSEY 219th LEGISLATURE

DATED: AUGUST 31, 2020

### SUMMARY

Synopsis: Requires law enforcement officers to wear body cameras.

Type of Impact: State and Local Expenditure Increases. Forfeiture Funds.

Agencies Affected: Department of Law and Public Safety; State, County and Municipal Entities Employing Law Enforcement Officers.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost Increase</b>		Indeterminate	
<b>Local Cost Increase</b>		Indeterminate	

- The Office of Legislative Services (OLS) concludes that the cost to the State and local governments to implement the provisions of this bill are indeterminate, specifically due to the variations in cost for the body worn cameras (BWCs), including storage and maintenance costs, and because the number of officers needed to be outfitted with the cameras is unknown.
- Forfeiture funds will be utilized to provide funding needed to effectuate the provisions in this bill; however the OLS notes that the availability of these funds fluctuate annually depending on seized and forfeited property.
- The bill authorizes the Attorney General to issue guidelines and directives on BWCs; however, the Office of the Attorney General has already issued two directives regarding the utilization of BWCs and the OLS finds the costs related to updating the current directive unknown.

### BILL DESCRIPTION

This bill requires certain law enforcement officers to wear body cameras. Specifically, under the provisions of this bill, every uniformed State, county, and municipal patrol law enforcement

officer is required to wear a BWC that electronically records audio and video while acting in the performance of the officer's official duties.

Under this bill, the BWCs are to be funded by forfeiture funds collected pursuant to N.J.S.2C:64-6 in an amount to be determined by the Attorney General. Finally, the bill authorizes the Attorney General to promulgate guidelines or directives.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that the cost to the State and local governments to implement the provisions of this bill are indeterminate, specifically due to the variations in cost for the BWCs, including storage and maintenance costs, and because the number of officers needed to be outfitted with the cameras is unknown. The bill requires funding for the purchase of the BWC be provided from annual forfeiture funds. As forfeiture funds are an unreliable source of annual revenue, fluctuating from year to year, the OLS is uncertain if the amount of annual forfeiture funds will be available to offset the remaining amount of BWCs needed Statewide.

***Background:*** In 2014, New Jersey passed a law mandating that every new municipal police vehicle used primarily for traffic stops be outfitted with a dashboard camera (dash-cam). Alternatively, it was determined that departments could avoid equipping cars with video systems if their officers wore body cameras. The law created a \$25 surcharge on those convicted of driving while intoxicated that would help pay for the cameras. In 2015, the New Jersey Council on Local Mandates panel found the law created an unconstitutional financial burden on local governments, issuing a "state mandate, state pay" decision, indicating that the State would be unable to provide adequate funding and as a result the law could not be applied.

In FY 2016, the Department of Law and Public Safety commenced a \$4 million Statewide BWC initiative to equip all New Jersey Division of State Police (DSP) troopers in the field with the BWCs and institute a grant program to provide funding for local police departments to acquire BWCs on a voluntary basis. To be eligible a local applicant had to employ permanent, regular police officers with a funding cap per BWC of the greater of actual costs or \$500.

In response to an OLS inquiry in FY 2017, the department reported that a total of 213 local, county, and campus police agencies received funding to purchase over 6,100 BWCs. The department further noted that as of February 2017, an additional approximately 30 local and campus police departments had purchased BWCs without State funding offered through the Office of the Attorney General.

As of 2017, it was reported that three stations of DSP troopers began wearing the devices resulting from federal funds, which afforded the DSP to purchase cameras for 1,575 officers. In July of 2020, a news article confirmed that DSP Troops A, B, and C headquarters covering the southern, northern, and central regions of the State already had implemented the BWC program. The article indicated, however, that according to the Office of the Attorney General there was a problem with a vendor which caused a delay in the implementation of BWC program at the Troop D headquarters. According to a spokesperson with the Office of the Attorney General, troopers with the Troop D headquarters will receive BWCs at latest by October of 2020.

**Expenditures:** The OLS is of the understanding that the BWC program is in the process of being implemented by the DSP and in at least in 243 local, county, and campus police agencies. The OLS estimates the cost to implement the program in the remaining local, county, and campus police agencies that have chosen not to participate to-date to be indeterminate.

According to the 2014 report “Implementing a Body-Worn Camera Program Recommendations and Lessons Learned,” published by the Police Executive Research Forum with support from a cooperative agreement awarded by the Office of Community Oriented Policing Services in the U.S. Department of Justice, the price of body-worn cameras ranged from approximately \$120 to nearly \$2,000 for each device. Prices varied depending on factors such as functionality, storage capacity, and battery life. Agencies generally made an initial purchase up front, and often purchased cameras as part of a contract with a manufacturer for related services, such as data storage and technical assistance.

Although the initial costs of purchasing the cameras may be a significant investment, the report found that many police executives attributed the most expensive aspect of a body-worn camera program to be data storage. In addition to the cost of purchasing cameras and storing data, the report indicated that administering a body-worn camera program requires considerable ongoing financial and staffing commitments. According to the report, many agencies appoint at least one full-time officer to manage the camera program, which may be an additional cost. Agencies are to provide ongoing training programs, ensure that cameras are properly maintained, fix technical problems, and address any issues of officer noncompliance. Some agencies also devote resources toward public information campaigns aimed at educating the community about the program.

The actual cost may diverge widely, depending on a host of factors such as the vendor chosen through competitive bidding and the unit costs that result, and the ancillary services, e.g., data storage, procured along with the cameras. There are ongoing unknown annual costs thereafter, e.g., to manage data storage, respond to public information requests, and replace damaged and nonfunctional cameras. The Office of the Attorney General has issued two directives on BWCs: Attorney General Law Enforcement Directive NO. 2015-1, Law Enforcement Directive Regarding Police Body Worn Camera (BWCs) and Stored BWC Recordings and Attorney General Law Enforcement Directive NO. 2018-10, Law Enforcement Directive Concerning Public Release of Video Recordings Depicting Police Deadly Force Incidents. The OLS cannot determine how revisions to the Attorney General’s guidelines and directives regarding BWCs may influence costs.

**Revenue:** The Governor’s FY 2020 recommended budget reflected forfeiture revenue for public safety purposes totaling \$4 to \$5 million annually (page C-13). Forfeiture funds are not a dependable revenue source as the amount is subject to annual fluctuation. No information is available to the OLS as to the extent of locally realized forfeiture funds, or the extent to which local forfeiture funds are at present supporting costs of BWCs.

*Section: Law and Public Safety*

*Analyst: Kristin Brunner Santos  
Senior Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

## SENATE, No. 1163 STATE OF NEW JERSEY 219th LEGISLATURE SUMMARY

DATED: NOVEMBER 2, 2020

Synopsis: Requires law enforcement officers to wear body cameras.

Type of Impact: State and Local Expenditure Increases. Forfeiture Funds.

Agencies Affected: Department of Law and Public Safety; State, County and Municipal Entities Employing Law Enforcement Officers.

### Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase		Indeterminate	
Local Cost Increase		Indeterminate	

- The Office of Legislative Services (OLS) concludes that the cost to the State and local governments to implement the provisions of this bill are indeterminate, specifically due to the variations in cost for the body worn cameras (BWCs), including storage and maintenance costs, and because the number of officers needing to be outfitted with the cameras is unknown.
- Forfeiture funds will be utilized to provide funding needed to effectuate the provisions in this bill; however, the OLS notes that the availability of these funds fluctuate annually depending on seized and forfeited property.
- The bill authorizes the Attorney General to issue guidelines and directives on BWCs; however, the Office of the Attorney General has already issued two directives regarding the utilization of BWCs and the OLS finds the costs related to updating the current directive unknown.

### BILL DESCRIPTION

This bill requires certain law enforcement officers to wear body cameras. Specifically, under the provisions of this bill, every uniformed State, county, and municipal patrol law enforcement officer is required to wear a BWC that electronically records audio and video while acting in the performance of the officer's official duties.

Under this bill, the BWCs are to be funded by forfeiture funds collected pursuant to State law in an amount to be determined by the Attorney General. Finally, the bill authorizes the Attorney General to promulgate guidelines or directives.

## FISCAL ANALYSIS

### *EXECUTIVE BRANCH*

None received.

### *OFFICE OF LEGISLATIVE SERVICES*

The OLS concludes that the cost to the State and local governments to implement the provisions of this bill are indeterminate, specifically due to the variations in cost for the BWCs, including storage and maintenance costs, and because the number of officers needing to be outfitted with the cameras is unknown. The bill requires funding for the purchase of the BWC to be provided from annual forfeiture funds. As forfeiture funds are an unreliable source of annual revenue, fluctuating from year to year, the OLS is uncertain if the amount of annual forfeiture funds will be available to offset the remaining amount of BWCs needed Statewide.

**Background:** In 2014, New Jersey passed a law mandating that every new municipal police vehicle used primarily for traffic stops be outfitted with a dashboard camera (dash-cam). Alternatively, it was determined that departments could avoid equipping cars with video systems if their officers wore body cameras. The law created a \$25 surcharge on those convicted of driving while intoxicated that would help pay for the cameras. In 2015, the New Jersey Council on Local Mandates panel found the law created an unconstitutional financial burden on local governments, issuing a "state mandate, state pay" decision, indicating that the State would be unable to provide adequate funding and as a result the law could not be applied.

In FY 2016, the Department of Law and Public Safety commenced a \$4 million Statewide BWC initiative to equip all New Jersey Division of State Police (DSP) troopers in the field with the BWCs and institute a grant program to provide funding for local police departments to acquire BWCs on a voluntary basis. To be eligible, a local applicant had to employ permanent, regular police officers with a funding cap per BWC of the greater of actual costs or \$500.

In response to an OLS inquiry in FY 2017, the department reported that a total of 213 local, county, and campus police agencies received funding to purchase over 6,100 BWCs. The department further noted that as of February 2017, an additional approximately 30 local and campus police departments had purchased BWCs without State funding offered through the Office of the Attorney General.

As of 2017, it was reported that three stations of DSP troopers began wearing the devices resulting from federal funds, which afforded the DSP to purchase cameras for 1,575 officers. In July of 2020, a news article confirmed that DSP Troops A, B, and C headquarters covering the southern, northern, and central regions of the State already had implemented the BWC program. The article indicated, however, that according to the Office of the Attorney General there was a problem with a vendor which caused a delay in the implementation of BWC program at the Troop D headquarters. According to a spokesperson with the Office of the Attorney General, troopers with the Troop D headquarters will receive BWCs at latest by October of 2020.

**Expenditures:** The OLS is of the understanding that the BWC program is in the process of being implemented by the DSP and in at least in 243 local, county, and campus police agencies. The OLS estimates the cost to implement the program in the remaining local, county, and campus police agencies that have chosen not to participate to-date to be indeterminate.

According to the 2014 report “Implementing a Body-Worn Camera Program Recommendations and Lessons Learned,” published by the Police Executive Research Forum with support from a cooperative agreement awarded by the Office of Community Oriented Policing Services in the U.S. Department of Justice, the price of body-worn cameras ranged from approximately \$120 to nearly \$2,000 for each device. Prices varied depending on factors such as functionality, storage capacity, and battery life. Agencies generally made an initial purchase up front, and often purchased cameras as part of a contract with a manufacturer for related services, such as data storage and technical assistance.

Although the initial costs of purchasing the cameras may be a significant investment, the report found that many police executives attributed the most expensive aspect of a body-worn camera program to be data storage. In addition to the cost of purchasing cameras and storing data, the report indicated that administering a body-worn camera program requires considerable ongoing financial and staffing commitments. According to the report, many agencies appoint at least one full-time officer to manage the camera program, which may be an additional cost. Agencies are to provide ongoing training programs, ensure that cameras are properly maintained, fix technical problems, and address any issues of officer noncompliance. Some agencies also devote resources toward public information campaigns aimed at educating the community about the program.

The actual cost may diverge widely, depending on a host of factors such as the vendor chosen through competitive bidding and the unit costs that result, and the ancillary services, e.g., data storage, procured along with the cameras. There are ongoing unknown annual costs thereafter, e.g., to manage data storage, respond to public information requests, and replace damaged and nonfunctional cameras. The Office of the Attorney General has issued two directives on BWCs: Attorney General Law Enforcement Directive NO. 2015-1, Law Enforcement Directive Regarding Police Body Worn Camera (BWCs) and Stored BWC Recordings and Attorney General Law Enforcement Directive NO. 2018-10, Law Enforcement Directive Concerning Public Release of Video Recordings Depicting Police Deadly Force Incidents. The OLS cannot determine how revisions to the Attorney General’s guidelines and directives regarding BWCs may influence costs.

**Revenue:** The Governor’s FY 2021 recommended budget reflected forfeiture revenue for public safety purposes totaling \$4 million annually (page C-13). Forfeiture funds are not a dependable revenue source as the amount is subject to annual fluctuation. No information is available to the OLS as to the extent of locally realized forfeiture funds, or the extent to which local forfeiture funds are at present supporting costs of BWCs.

*Section: Law and Public Safety*

*Analyst: Kristin Brunner Santos  
Senior Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# LEGISLATIVE FISCAL ESTIMATE

[Third Reprint]

## SENATE, No. 1163 STATE OF NEW JERSEY 219th LEGISLATURE

DATED: NOVEMBER 19, 2020

### SUMMARY

Synopsis: Requires law enforcement officers to wear body cameras.

Type of Impact: State and Local Expenditure Increases.

Agencies Affected: Department of Law and Public Safety; State, County, and Municipal Entities Employing Law Enforcement Officers.

#### Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase		Indeterminate	
Local Cost Increase		Indeterminate	

- The Office of Legislative Services (OLS) concludes that the cost to the State and local governments to implement the provisions of this bill are indeterminate, specifically due to the variations in cost for the body worn cameras (BWCs), including storage and maintenance costs.
- Funds for the purchase of BWCs may be derived from any source of funding, including forfeiture funds and federal grants, to provide funding needed to effectuate the provisions in this bill.
- The bill authorizes the Attorney General to issue and revise guidelines and directives on BWCs; however, the Office of the Attorney General has already issued two directives regarding the utilization of BWCs and the OLS finds the costs related to updating the current directive unknown.

### BILL DESCRIPTION

This bill requires every uniformed State, county, and municipal patrol law enforcement officer to wear a BWC to record the officer's activities while performing his or her duties. Certain law enforcement officers would be excluded from this requirement while engaging in certain activities.

The bill specifies that funding for the BWCs may be derived from any funding source made available, including annual appropriations, federal funds, and forfeiture funds collected pursuant to State law.

Finally, the bill authorizes the Attorney General to promulgate or revise guidelines or directives.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

According to the Office of the Governor in the recent Conditional Veto (CV) of Senate Bill No. 1163 (2R) of 2020, there are over 35,000 local, county, and State law enforcement officers in this State. Further, it was indicated that the New Jersey Office of the Attorney General completed a survey reflecting that while many law enforcement agencies in New Jersey currently use BWCs, more than half do not. The survey found that approximately 12,000 BWCs are currently in use across the State requiring up to two-thirds of the State's law enforcement officers to be outfitted with BWCs to execute the provisions of the bill.

The Department of Law and Public Safety estimates that initial deployment of nearly 26,000 cameras could cost up to \$55.8 million, depending on the specific number of BWCs required to outfit all uniformed patrol officers who are not currently so equipped. This estimate includes equipment acquisition, an annual licensing fee, maintenance and storage. Even after acquisition, ongoing maintenance and storage costs would be incurred.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that the cost to the State and local governments to implement the provisions of this bill are indeterminate.

The OLS concurs with the Department of Law and Public Safety's estimate of the number of BWCs which would be needed; however, specifically due to the variations in cost for the BWCs, including storage and maintenance costs, the ultimate expenditure is indeterminate.

The bill requires funding for the purchase of the BWCs to be provided from any available funding, including annual appropriations, forfeiture funds, and federal funds.

***Expenditures:*** The OLS is of the understanding that the BWC program is in the process of being implemented by the Division of State Police and in at least in 243 local, county, and campus police agencies. The OLS estimates the cost to implement the program in the remaining local, county, and campus police agencies that have chosen not to participate to-date to be indeterminate.

According to the 2014 report "Implementing a Body-Worn Camera Program Recommendations and Lessons Learned," published by the Police Executive Research Forum with support from a cooperative agreement awarded by the Office of Community Oriented Policing Services in the U.S. Department of Justice, the price of BWCs ranged from approximately \$120 to nearly \$2,000 for each device. Prices varied depending on factors such as functionality, storage capacity, and battery life. Agencies generally made an initial purchase up front, and often purchased BWC as part of a contract with a manufacturer for related services, such as data storage and technical assistance.

Although the initial costs of purchasing BWCs may be a significant investment, the report found that many police executives attributed the most expensive aspect of a BWC program to be data storage. In addition to the cost of purchasing cameras and storing data, the report indicated



that administering a BWCs program requires considerable ongoing financial and staffing commitments. According to the report, many agencies appoint at least one full-time officer to manage the BWC program, which may be an additional cost. Agencies are to provide ongoing training programs, ensure that cameras are properly maintained, fix technical problems, and address any issues of officer noncompliance. Some agencies also devote resources toward public information campaigns aimed at educating the community about the program.

The actual cost may diverge widely, depending on a host of factors such as the vendor chosen through competitive bidding and the unit costs that result, and the ancillary services, e.g., data storage, procured along with the cameras. There are ongoing unknown annual costs thereafter, including managing storage, responding to public information requests, and replacing damaged and nonfunctional BWCs. The Office of the Attorney General has issued two directives on BWCs: Attorney General Law Enforcement Directive No. 2015-1, Law Enforcement Directive Regarding Police Body Worn Camera (BWCs) and Stored BWC Recordings and Attorney General Law Enforcement Directive No. 2018-10, Law Enforcement Directive Concerning Public Release of Video Recordings Depicting Police Deadly Force Incidents. The OLS cannot determine how revisions to the Attorney General's guidelines and directives regarding BWCs may influence costs.

**Revenue:** The bill provides that funds for the purchase of BWCs may be derived from any source, including forfeiture funds and federal grants, to provide funding needed to effectuate the provisions in this bill.

According to the Office of the Governor in the recent CV of Senate Bill No. 1163 (2R) of 2020, as recently as August 2020, the forfeiture fund account identified in this legislation to fund this endeavor contained less than \$2 million, and \$1 million had already been earmarked for respective programs, leaving under \$1 million to cover the costs of BWCs. It was additionally noted in the CV that recent changes to the forfeiture laws to promote fairness to property owners will further limit the funds that may be available from this source moving forward.

*Section:* Law and Public Safety  
*Analyst:* Kristin Brunner Santos  
Senior Fiscal Analyst  
*Approved:* Thomas Koenig  
Assistant Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

**ASSEMBLY, No. 4271**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED JUNE 15, 2020

**Sponsored by:**

**Assemblywoman CLEOPATRA G. TUCKER**

**District 28 (Essex)**

**SYNOPSIS**

Requires law enforcement officers to wear body cameras.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning law enforcement officers and supplementing  
2 chapter 14 of Title 40A of the New Jersey Statutes.

3

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

6

7 1. a. Notwithstanding the provisions of any other law to the  
8 contrary, every State, county, and municipal law enforcement  
9 officer shall wear a camera that electronically records audio and  
10 video while acting in the performance of his official duties.

11 b. The cameras required by subsection a. of this section shall  
12 be funded by forfeiture funds collected pursuant to N.J.S.2C:64-6,  
13 in an amount to be determined by the Attorney General.

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15 2. The Attorney General is authorized to promulgate guidelines  
16 or directives, as appropriate, to implement and enforce the  
17 provisions of P.L. , c. (C. ) (pending before the Legislature  
18 as this bill).

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20 3. This act shall take effect on the first day of the sixth month  
21 following enactment, but the Attorney General may take such  
22 administrative action in advance as shall be necessary for the  
23 implementation of the act.

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STATEMENT

27

28 This bill requires law enforcement officers to wear body  
29 cameras. Specifically, under the provisions of this bill, every State,  
30 county, and municipal law enforcement officer is required to wear a  
31 camera that electronically records audio and video while acting in  
32 the performance of his or her official duties.

33 Under this bill, the cameras are to be funded by forfeiture funds  
34 received by the Attorney General as instrumentalities of crime.  
35 Finally, the bill authorizes the Attorney General to promulgate  
36 guidelines or directives.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 4271**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: AUGUST 24, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4271, with committee amendments.

As amended, this bill requires every uniformed State, county, and municipal patrol law enforcement officer to wear a body worn camera that electronically records audio and video while acting in the performance of the officer's official duties, except:

- (1) while engaging in an undercover assignment;
- (2) when assigned to non-uniformed duties;
- (3) while serving in an administrative position within the Department;
- (4) while meeting with a confidential informant;
- (5) while engaging in union representation of a member of the collective bargaining group;
- (6) when directed by the Chief or a superior officer for a lawful purpose;
- (7) a detective or investigator of a county prosecutor's office or Division of Criminal Justice when authorized by the County Prosecutor or Attorney General; or
- (8) at the request of a member of the public pursuant to rules developed by the Attorney General.

Under this bill, the body worn cameras are to be funded by forfeiture funds received by the Attorney General as instrumentalities of crime.

The bill would take effect immediately, but would remain inoperative until the enactment into law of Senate Bill No. 101 or Assembly Bill No. 4312 of 2020-2021, currently pending before the Legislature. The bill authorizes the Attorney General to promulgate guidelines or directives in advance as necessary.

#### COMMITTEE AMENDMENTS

The committee amended the bill to:

- Narrow the scope of the body worn camera requirement to uniformed patrol law enforcement officers and provide exceptions to the body worn camera requirement under certain circumstances;

- Define “body worn camera”; and
- Provide that the provisions of the bill would remain inoperative until the enactment of Senate Bill No. 101 or Assembly Bill No. 4312 of 2020-21.

FISCAL IMPACT:

The Office of Legislative Services estimates that this bill will result in an indeterminate increase in State and local government costs.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

**ASSEMBLY, No. 4271**

## **STATE OF NEW JERSEY 219th LEGISLATURE**

DATED: AUGUST 31, 2020

### **SUMMARY**

Synopsis: Requires law enforcement officers to wear body cameras.

Type of Impact: State and Local Expenditure Increases. Forfeiture Funds.

Agencies Affected: Department of Law and Public Safety; State, County and Municipal Entities Employing Law Enforcement Officers.

#### **Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost Increase</b>		Indeterminate	
<b>Local Cost Increase</b>		Indeterminate	

- The Office of Legislative Services (OLS) concludes that the cost to the State and local governments to implement the provisions of this bill are indeterminate, specifically due to the variations in cost for the body worn cameras (BWCs), including storage and maintenance costs, and because the number of officers needed to be outfitted with the cameras is unknown.
- Forfeiture funds will be utilized to provide funding needed to effectuate the provisions in this bill; however the OLS notes that the availability of these funds fluctuate annually depending on seized and forfeited property.
- The bill authorizes the Attorney General to issue guidelines and directives on BWCs; however, the Office of the Attorney General has already issued two directives regarding the utilization of BWCs and the OLS finds the costs related to updating the current directive unknown.

### **BILL DESCRIPTION**

This bill requires certain law enforcement officers to wear body cameras. Specifically, under the provisions of this bill, every uniformed State, county, and municipal patrol law enforcement

officer is required to wear a BWC that electronically records audio and video while acting in the performance of the officer's official duties. The bill provides certain exceptions to this requirement.

Under this bill, the BWCs are to be funded by forfeiture funds collected pursuant to N.J.S.2C:64-6 in an amount to be determined by the Attorney General. Finally, the bill authorizes the Attorney General to promulgate guidelines or directives.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that the cost to the State and local governments to implement the provisions of this bill are indeterminate, specifically due to the variations in cost for the BWCs, including storage and maintenance costs, and because the number of officers needed to be outfitted with the cameras is unknown. The bill requires funding for the purchase of the BWC be provided from annual forfeiture funds. As forfeiture funds are an unreliable source of annual revenue, fluctuating from year to year, the OLS is uncertain if the amount of annual forfeiture funds will be available to offset the remaining amount of BWCs needed Statewide.

***Background:*** In 2014, New Jersey passed a law mandating that every new municipal police vehicle used primarily for traffic stops be outfitted with a dashboard camera (dash-cam). Alternatively, it was determined that departments could avoid equipping cars with video systems if their officers wore body cameras. The law created a \$25 surcharge on those convicted of driving while intoxicated that would help pay for the cameras. In 2015, the New Jersey Council on Local Mandates panel found the law created an unconstitutional financial burden on local governments, issuing a "state mandate, state pay" decision, indicating that the State would be unable to provide adequate funding and as a result the law could not be applied.

In FY 2016, the Department of Law and Public Safety commenced a \$4 million Statewide BWC initiative to equip all New Jersey Division of State Police (DSP) troopers in the field with the BWCs and institute a grant program to provide funding for local police departments to acquire BWCs on a voluntary basis. To be eligible a local applicant had to employ permanent, regular police officers with a funding cap per BWC of the greater of actual costs or \$500.

In response to an OLS inquiry in FY 2017, the department reported that a total of 213 local, county, and campus police agencies received funding to purchase over 6,100 BWCs. The department further noted that as of February 2017, an additional approximately 30 local and campus police departments had purchased BWCs without State funding offered through the Office of the Attorney General.

As of 2017, it was reported that three stations of DSP troopers began wearing the devices resulting from federal funds, which afforded the DSP to purchase cameras for 1,575 officers. In July of 2020, a news article confirmed that DSP Troops A, B, and C headquarters covering the southern, northern, and central regions of the State already had implemented the BWC program.

The article indicated, however, that according to the Office of the Attorney General there was a problem with a vendor which caused a delay in the implementation of BWC program at the Troop D headquarters. According to a spokesperson with the Office of the Attorney General, troopers with the Troop D headquarters will receive BWCs at latest by October of 2020.

**Expenditures:** The OLS is of the understanding that the BWC program is in the process of being implemented by the DSP and in at least in 243 local, county, and campus police agencies. The OLS estimates the cost to implement the program in the remaining local, county, and campus police agencies that have chosen not to participate to-date to be indeterminate.

According to the 2014 report “Implementing a Body-Worn Camera Program Recommendations and Lessons Learned,” published by the Police Executive Research Forum with support from a cooperative agreement awarded by the Office of Community Oriented Policing Services in the U.S. Department of Justice, the price of body-worn cameras ranged from approximately \$120 to nearly \$2,000 for each device. Prices varied depending on factors such as functionality, storage capacity, and battery life. Agencies generally made an initial purchase up front, and often purchased cameras as part of a contract with a manufacturer for related services, such as data storage and technical assistance.

Although the initial costs of purchasing the cameras may be a significant investment, the report found that many police executives attributed the most expensive aspect of a body-worn camera program to be data storage. In addition to the cost of purchasing cameras and storing data, the report indicated that administering a body-worn camera program requires considerable ongoing financial and staffing commitments. According to the report, many agencies appoint at least one full-time officer to manage the camera program, which may be an additional cost. Agencies are to provide ongoing training programs, ensure that cameras are properly maintained, fix technical problems, and address any issues of officer noncompliance. Some agencies also devote resources toward public information campaigns aimed at educating the community about the program.

The actual cost may diverge widely, depending on a host of factors such as the vendor chosen through competitive bidding and the unit costs that result, and the ancillary services, e.g., data storage, procured along with the cameras. There are ongoing unknown annual costs thereafter, e.g., to manage data storage, respond to public information requests, and replace damaged and nonfunctional cameras. The Office of the Attorney General has issued two directives on BWCs: Attorney General Law Enforcement Directive NO. 2015-1, Law Enforcement Directive Regarding Police Body Worn Camera (BWCs) and Stored BWC Recordings and Attorney General Law Enforcement Directive NO. 2018-10, Law Enforcement Directive Concerning Public Release of Video Recordings Depicting Police Deadly Force Incidents. The OLS cannot determine how revisions to the Attorney General’s guidelines and directives regarding BWCs may influence costs.

**Revenue:** The Governor’s FY 2020 recommended budget reflected forfeiture revenue for public safety purposes totaling \$4 to \$5 million annually (page C-13). Forfeiture funds are not a dependable revenue source as the amount is subject to annual fluctuation. No information is available to the OLS as to the extent of locally realized forfeiture funds, or the extent to which local forfeiture funds are at present supporting costs of BWCs.



*Section: Law and Public Safety*

*Analyst: Kristin Brunner Santos  
Senior Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# Governor Murphy Takes Action on Legislation

10/19/2020

**TRENTON** – Today, Governor Phil Murphy signed the following bills and resolutions into law

**S-2584/A-3622 (Cunningham, Pou/Quijano, Vainieri Huttie, Murphy)** – Makes changes to membership and responsibilities of Campus Sexual Assault Commission

**A-1263/S-1914 (Schaer, Johnson/Pou, Cardinale)** – Prohibits act, practice or arrangement constituting stranger-originated life insurance

**A-2394/S-401 (Wimberly, Johnson, Holley/Turner, Cunningham)** – Requires law enforcement agencies in this State to establish minority recruitment and selection programs; establishes reporting requirement

**A-3367/S-1951 (Johnson, Kennedy, Benson/Smith, Codey)** – Concerns installation of electric vehicle charging stations in common interest communities

Governor Murphy conditionally vetoed the following bills:

**S-1163/A-4271 (Turner/Tucker, Conaway)** - Requires law enforcement officers to wear body cameras

[Copy of Statement](#)

**S-2842/A-4625 (Sarlo/Egan)** - Permits raffles to be conducted remotely at large sporting venues

[Copy of Statement](#)

**A-4312/S-101 (Reynolds-Jackson, Sumter, Tucker/Gill, Turner)** - Regulates use of body cameras worn by law enforcement officers

[Copy of Statement](#)

Governor Murphy absolute vetoed the following bills:

**S-2704/A-4413 (Sweeney, Gopal, A.M. Bucco, Cruz-Perez/Bramnick, Burzichelli, DeCroce)** - Appropriates \$30 million to EDA from federal "Coronavirus Relief Fund" to assist food establishments impacted by Executive Order No. 158

[Copy of Statement](#)

**A-4006/S-2404 (Chiaravalloti, Caputo, Mejia/Pou, Turner)** - Postpones New Jersey Quality Single Accountability Continuum (NJQSAC) review for certain school districts to accommodate disruption due to COVID-19 pandemic

[Copy of Statement](#)

**SENATE BILL NO. 1163**  
**(Second Reprint)**

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 1163 (Second Reprint) with my recommendations for reconsideration.

The bill requires every uniformed State, county, and municipal patrol law enforcement officer to wear a body worn camera to record the officer's activities while performing his or her duties. Officers would be excluded from this requirement while engaging in certain activities, such as working an undercover assignment, serving in an administrative position, being assigned to a non-uniformed position, and meeting with a confidential informant. The bill also specifies that funding for the body worn cameras would come out of forfeiture funds collected pursuant to N.J.S.2C:64-6 (i.e., the account containing the proceeds of assets and property used in connection with criminal activity which are seized by law enforcement and forfeited through legal proceedings).

I commend the sponsors of this legislation for recognizing the beneficial value offered by widespread use of body worn cameras by law enforcement officers. I share the sponsors' goal of promoting transparency and accountability in policing in our communities. Body worn cameras are a wise public investment, as the benefits of their use are manifest: they improve accountability; promote transparency; enhance the quality of police-civilian interactions and law enforcement performance; contemporaneously record objective, impartial evidence for use in investigations, disciplinary matters, and court proceedings; and provide a useful tool for officer training and development.

Acquisition, deployment, and use of this new technology is not without cost, however, which has discouraged some police agencies from embracing this valuable law enforcement tool. There are over 35,000 local, county, and State law enforcement officers in this State and the bill would compel all uniformed officers, with certain exceptions, to use body worn cameras while on patrol. In September 2020, the New Jersey Attorney General announced the results of a survey showing that, while many law enforcement agencies in New Jersey currently use body worn cameras, more than half do not. The survey found that approximately 12,000 cameras are presently in use across the State. This means that the bill will require up to two-thirds of the State's law enforcement officers to be outfitted with body worn cameras; achieving this laudable goal will require a substantial commitment of resources.

Unfortunately, the funding mechanism provided in this legislation is insufficient to support the bill's mandate. As recently as August 2020, the forfeiture fund account identified in this legislation to fund this endeavor contained less than \$2 million, with more than \$1 million already earmarked for worthwhile programs, leaving under \$1 million to cover the costs of body worn cameras. Additionally, recent changes to the forfeiture laws to promote fairness to property owners will further limit the funds that may be available from the source moving forward. The Department of Law and Public Safety estimates that initial deployment of nearly 26,000 cameras could cost up to \$55.8 million (depending on the specific number of body worn cameras required to outfit all uniformed patrol officers who are not currently so equipped). This estimate includes equipment acquisition, an annual licensing fee, and maintenance and storage. Even after acquisition, ongoing maintenance and storage costs would be incurred.

Consequently, I am returning Senate Bill No. 1163 (Second Reprint) and recommending changes to lay the foundation for a more reliable funding source to support the costs of implementing body worn cameras across the State.

My recommended changes make the mandate to wear body worn cameras subject to the limit of funds appropriated or otherwise made available for the bill's purposes. I am also revising the effective date of the legislation to reflect the bill sponsors' desire to match the effective date of Assembly Bill No. 4312, companion legislation regulating the use of body worn cameras, on which I am also taking action today.

Procuring and outfitting body cameras for every uniformed patrol officer will likely take considerable time and money, but we can and should embrace this opportunity to cement New Jersey's position as a leader in police reforms. Now is not the time to shy away from an initiative as important as this one, which will serve to strengthen the community's trust in our law enforcement officers and enhance law enforcement effectiveness. New Jersey has made great advancements in the pursuit of these goals, including mandating implicit bias training for prosecutors, detectives, and state troopers; requiring the Attorney General to investigate police-involved deaths; and requiring disclosure of the names of officers who have been suspended for serious infractions. I look forward to continuing this progress and to working with my partners in the Legislature to ensure that sufficient, reliable funds are appropriated to support this vision for more accountable policing.

Therefore, I herewith return Senate Bill No. 1163 (Second Reprint) and recommend that it be amended as follows:

Page 2, Section 1, Line 8:

After "contrary" insert "and subject to the limit of funds appropriated or otherwise made available for this purpose"

- Page 2, Section 1, Lines 24-25: Delete "at the request of a member of the public pursuant to rules developed" and insert "as may be otherwise provided in accordance with guidelines or directives promulgated"
- Page 2, Section 1, Line 26: Delete "The" and insert "In addition to funding provided through the annual appropriations act, the"
- Page 2, Section 1, Line 27: Delete "shall" and insert "may"
- Page 2, Section 1, Line 29: After "General" insert ", or any other source of funding made available for this purpose, including but not limited to federal grants"
- Page 2, Section 2, Line 34: After "promulgate" insert "or revise"
- Page 2, Section 3, Line 41: Delete "enactment into law" and insert "effective date"

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

# Governor Murphy Signs Legislation to Bring Changes to the Use of Body Worn Cameras by New Jersey Law Enforcement

11/24/2020

*S1163 Requires Every Patrol Officer to Wear a Body Camera and A4312 Regulates the Use of Body Worn Cameras by Law Enforcement Officers*

*Executive Order Establishes Working Group to Further Facilitate Implementation of Body Worn Cameras*

**TRENTON** – Acting on a commitment to further promote transparency in policing and build trust between police officers and the communities they serve, Governor Phil Murphy today signed two pieces of legislation (S1163 and A4312), which concern the use of body worn cameras by members of law enforcement. The Governor also signed executive Order No. 201, which establishes a 14-member Interagency Working Group to provide recommendations to the Governor's Office and Attorney General regarding technology solutions to facilitate the statewide implementation of body worn cameras in law enforcement agencies. The Working Group will work to identify barriers to adopting body worn cameras and recommend technology solutions to facilitate their implementation.

"We've made it clear that New Jersey will be second-to-none in enacting vital reforms to promote transparency and boost public confidence in law enforcement," **said Governor Murphy**. "Body worn cameras are a wise all-around investment in public safety that not only redouble our commitment to transparency and accountability, but also ensure that members of law enforcement are equipped with an important tool to help them carry out their sworn duties. Today represents another step down what we know is a long road to full understanding and lasting trust between law enforcement and the communities they serve."

"New Jersey has made great strides to promote a greater degree of professionalism, accountability, and transparency within our law enforcement agencies, and our state is committed to ensuring that our officers feel supported when they are in the line of duty," **said Lt. Governor Sheila Oliver, who serves as Commissioner of the Department of Community Affairs**. "This legislation being signed today is about developing greater accountability and establishing trust between police officers and the people who rely on them every day to keep our communities safe."

"We are in the midst of a national reckoning on racial justice, which has highlighted a lack of trust between law enforcement and many of the communities we serve," **said Attorney General Gurbir S. Grewal**. "Since day one, we have been committed to rebuilding and strengthening that trust, and we know that body worn cameras are an important tool in those efforts. They encourage professionalism, promote better interactions between police and the public, and have been universally welcomed by agencies across our state. Today, we not only take an important step towards the uniform, statewide use of body worn cameras, but also towards making New Jersey a national leader on yet another set of policing policies and best practices. I thank the Governor and the Legislature for their leadership and support in these efforts."

"Today is a great day for New Jersey law enforcement and the communities we serve. The statewide implementation of body worn cameras represents an important step in strengthening the bonds of trust between police departments and communities while fostering greater transparency and accountability," **said Colonel Patrick J. Callahan, Superintendent of the New Jersey State Police**. "The New Jersey State Police has learned that recording interactions with the public from patrol vehicles for the last two decades has been a valuable asset in protecting both our citizens and our troopers alike. The addition of body worn camera technology is yet another layer of protection for our men and women in law enforcement and the communities they serve."

"I would like to thank Governor Murphy and his staff for their relentless efforts in making sure all officers have body cameras for the protection of the community as well as law enforcement," **said Reverend John Taylor, New Jersey State Police Chaplain**. "What a great day for New Jersey to be leading the way for the nation."

"The body worn camera has proven to be an excellent tool for law enforcement officers," **said Quovella Spruill, Executive Vice President, National Organization of Black Law Enforcement Executives NJ Chapter.**

"Unfortunately, the principal detraction to this valuable technology is the cost. This has made them unattainable for many jurisdictions. These bills for body worn camera usage and funding are long overdue. Law enforcement and the community agree on the transparency needed to aid in protecting everyone's rights. As a mother of teenagers, woman of color, and law enforcement executive, I see how these tools can better serve in improving our relationships with our youth and citizens."

The signing of this bill into law today is a win for our communities and law enforcement," **said Carolyn Chang, Past President and Current Social Justice Committee Chair, Association of Black Women Lawyers of New Jersey.** "On behalf of the Association of Black Women Lawyers of New Jersey, we thank the Governor and leaders in both chambers for enacting this new law.

"I commend Governor Phil Murphy for taking the necessary steps to ensure the statewide use of this effective public safety tool," **said Camden Mayor Frank Moran.** "In our community, body worn cameras have proven to be instrumental in the protection and accountability of police officers and residents alike."

"Today, as law enforcement, we must work with our community and policy leaders with reflection and deliberation on the topics of policing and social justice reform," **said Wayne Blanchard, President of the State Troopers Fraternal Association.** "When we have conversations, we get results that equal progress. I thank the bill sponsors and Governor Murphy and his team for including the STFA in the important conversations with respect to legislation on BWC."

"This bill will ensure transparency for both the public and our law enforcement members," **said Pat Colligan, President, New Jersey State Police Benevolent Association (NJSPBA).** "It will enhance officer safety and help us continue the extraordinarily high level of service we continue to provide the residents of our state."

"The Fraternal Order of Police endorses Assembly Bill 4312 and its passage into law today," **said Bob Fox, President of the New Jersey Fraternal Order of Police.** "Body worn cameras are a definitive tool to ensuring the safety of our brave men and woman in law enforcement, as well as, the people they serve. Body worn cameras represent another tool for law enforcement to utilize in the quest for the safety and security of the people while providing the latest technology in our pursuit of transparency. This law and its funding will help help continue the public trust and ensures the technology-based applications are used for the betterment of all New Jersey residents."

S1163 requires every uniformed State, county, and municipal patrol law enforcement officer to wear a body worn camera, subject to funding appropriated by the Legislature. Exceptions are permitted for officers engaged in undercover assignments, meeting with confidential informants, performing administrative or non-uniformed duties, and when directed by a superior officer for a lawful purpose.

The bill was sponsored by Senators Shirley Turner and Linda Greenstein, and Assemblymembers Herb Conaway and Cleopatra Tucker.

"Police body cameras have become an essential part of community policing today," **said Assemblymembers Cleopatra Tucker, Herb Conaway, Verlina Reynolds-Jackson, and Shavonda Sumter, in a joint statement.** "They aim to ensure accountability for any actions which take place during a police stop, whether it is by the officer or a resident. Tensions surrounding community policing escalated after the death of George Floyd in Minneapolis. The distrust between communities of color and law enforcement was once again highlighted in the national spotlight. A body camera is only one way of ensuring greater transparency and accountability for law enforcement, and to rebuilding community relations; however, it will be a uniquely powerful tool in getting there."

A4312 regulates the use of body worn cameras by law enforcement officers. Under the bill, officers would be required to keep the camera activated when responding to a call for service or when initiating a law enforcement or investigative encounter. When immediate activation of the camera is impossible or dangerous, an officer would be required to activate the camera at the first reasonable opportunity to do so. Officers would be required to notify subjects that the camera is activated and, under certain conditions, may deactivate a camera upon the subject's request. To protect the privacy of civilians in sensitive situations, the bill limits the use of body worn cameras while officers are on school property, in medical facilities, and in houses of worship.

The bill was sponsored by Assemblymembers Verlina Reynolds-Jackson, Shavonda Sumter, and Cleopatra Tucker, and Senators Nia Gill and Shirley Turner.



“As we work to improve policing in New Jersey, setting clear guidelines for body camera usage is crucial for transparency, accountability and public confidence, safeguarding both citizens and law enforcement officers,” **said Senator Gill**. “These regulations will provide clear guidelines for how these body cameras are used allowing for consistency and reliability when footage is needed and pulled.”

“In recent years, body cameras have become a valuable tool for transparency, exposing instances of police misconduct and helping to hold officers accountable,” **said Senator Turner**. “They also protect officers against false accusations and reduce the legal costs associated with use-of-force lawsuits, which are ultimately paid for by taxpayers. Body cameras will help to create safer communities, and both officers and civilians will benefit greatly from rebuilding trust between police officers and the communities they have sworn to serve and protect.”

A copy of Executive Order No. 201 can be found [here](#).

**EXECUTIVE ORDER NO. 201**

WHEREAS, the State of New Jersey is committed to serving as a model for the nation on effective policing practices and criminal justice reform; and

WHEREAS, the Attorney General has sought, through the "Excellence in Policing" initiative, to promote the professionalism, accountability, and transparency that are hallmarks of New Jersey's best law enforcement agencies; and

WHEREAS, ensuring trust between the police and the communities they serve is a critical component of public safety; and

WHEREAS, the vast majority of New Jersey's 38,000 law enforcement officers serve the public in accordance with the highest standards of professionalism and integrity; and

WHEREAS, the deployment of body worn camera systems by law enforcement agencies can be a powerful tool for building community trust, both by creating a record of law enforcement professionalism in interactions with the public, and by providing evidence of officer misconduct when it does occur; and

WHEREAS, body worn camera footage can also be utilized to improve training for law enforcement officers, by enabling scenario-based review of past encounters with the public; and

WHEREAS, Attorney General Law Enforcement Directive No. 2015-1 establishes mandatory standards for the handling and storage of body worn camera footage; and

WHEREAS, as of September 23, 2020, 237 of the State's 537 law enforcement agencies now equip some or all of their officers with body-worn cameras; and

WHEREAS, many more law enforcement agencies recognize the benefits of body worn camera systems, but find the adoption of

such systems to be prohibitively expensive or logistically difficult; and

WHEREAS, a significant factor in the cost and utilization of body worn camera systems is the ongoing expense of storing and retrieving body worn camera footage, which currently requires that law enforcement agencies individually contract directly with private vendors; and

WHEREAS, New Jersey's municipal government structure provides municipalities with the authority to establish their own services, but which can have the effect of hindering cooperation on problems common across the State; and

WHEREAS, my Administration is dedicated to promoting and supporting shared services as a way to reduce costs borne by individual municipalities and take advantage of economies of scale; and

WHEREAS, a statewide, centralized solution for the storage and retrieval of body worn camera footage could leverage the State's purchasing power to significantly reduce the costs associated with doing so, which would lower the financial and logistical barriers to system adoption for law enforcement agencies, and

WHEREAS, reducing the costs associated with adopting a comprehensive body worn camera program will accelerate the implementation of body worn camera systems across the state; and

WHEREAS, the review of a statewide solution for the storage of body worn camera footage has not previously been conducted; and

WHEREAS, a statewide, centralized solution would facilitate the Office of Public Integrity and Accountability's review of use of force and death in custody incidents, thereby streamlining the

process to ensure timely release of video footage to the public pursuant to Attorney General Law Enforcement Directive 2019-4; and

WHEREAS, such a solution would benefit from the input of stakeholders across State government and law enforcement in New Jersey;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created the Interagency Working Group on Body Worn Cameras ("Working Group"), which shall be responsible for providing advice and recommendations to the Governor's Office and to the Attorney General regarding technology solutions to facilitate the statewide implementation of body worn cameras in law enforcement agencies.

2. The objectives of the Working Group shall include the following:

- a. Consulting with law enforcement agencies to identify barriers to the adoption of body worn camera systems;
- b. Identifying and recommending potential technology solutions to facilitate the adoption of body worn camera systems by police departments, including the potential provision of centralized statewide or regional storage systems;
- c. Developing recommended strategies for implementation of a body worn camera solution for police departments, including any actions that must be taken by agencies of state government; and

- d. Recommending any necessary changes to existing policies, whether by executive action or legislation, related to the deployment of body worn camera systems or the storage and handling of body worn camera footage.

3. The Working Group shall consist of the following fourteen members:

- a. The Attorney General, or designee; who shall serve as Chair;
- b. The Superintendent of the State Police, or designee;
- c. The Director of the Division of Criminal Justice, or designee;
- d. The Chief Technology Officer of the Office of Information Technology, or designee;
- e. The Chief Innovation Officer, or designee;
- f. The New Jersey State Treasurer, or designee;
- g. Four members of the public, including at least one member of the faith-based community and one criminal justice advocate, who shall be appointed by the Governor;
- h. Two members of county or municipal law enforcement agencies, who shall be appointed by the Governor;
- i. A member of a police union, who shall be appointed by the Governor; and
- j. A County Prosecutor, who shall be appointed by the Governor. The appointed County Prosecutor may designate a representative for participation in the Working Group.

4. All members and designees shall serve at the pleasure of the appointing department or agency, or in the case of those appointed by the Governor, at the pleasure of the Governor, and all shall serve without compensation.

5. The Working Group shall be authorized to call upon any department, office, division, or agency of this State to supply it with information or other assistance as the Working Group determines to be necessary to discharge its duties under this Order.

6. Each Executive Branch department and agency is hereby required, to the extent not inconsistent with law and consistent with budgetary constraints, to cooperate fully with the Working Group within the limits of its statutory authority and to furnish the Working Group with such assistance on as timely a basis as is necessary to accomplish the purposes of this Order. To the extent necessary, the Department of Law and Public Safety shall provide professional and clerical staff to the Working Group.

7. The Working Group may consult with experts or other knowledgeable individuals in the public or private sector with respect to any aspect of its mission.

8. The Working Group shall organize and meet as soon as practicable to begin performing the charges set forth in this order.

9. The Working Group, which shall be purely advisory in nature, shall issue a report of its findings and recommendations to the Governor's Office and Attorney General no later than March 31, 2021. The Working Group shall expire upon the issuance of this report.

10. Nothing in this Order shall be construed to supersede any federal, State, or local law.

11. For purposes of this Order, "Executive Branch departments and agencies" shall mean any of the principal departments in the Executive Branch of State government and any agency, authority, board, bureau, commission, division, institution, office, or other instrumentality within or created by any such department, and any independent State authority, commission, instrumentality, or agency over which the Governor exercises executive authority, as determined by the Attorney General.

12. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
24<sup>th</sup> day of November,  
Two Thousand and Twenty, and  
of the Independence of the  
United States, the Two  
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor