

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes 6/21/2021

LEGISLATIVE FISCAL ESTIMATE: Yes 6/24/2021
6/30/2021

VETO MESSAGE: No

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

Gabrielle Saulsbery, 'Murphy appoints diversity, equity, inclusion and belonging head', NJBIZ (online), 29 Sep 2021

'Murphy signs bill aimed at increasing diversity among police', Associated Press State Wire: New Jersey (online), 28 Sep2021

RH/CL

P.L. 2021, CHAPTER 234, *approved September 28, 2021*
Senate, No. 2765 (*First Reprint*)

1 AN ACT concerning diversity and inclusivity within law
2 enforcement agencies in this State and supplementing P.L.1948,
3 c.439 (C.52:17B-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. The Civil Service Commission shall conduct, or select a
9 qualified vendor to conduct, ¹**[within]** beginning not later than¹ one
10 year following enactment of this act, P.L. , c. (pending before
11 the Legislature as this bill), an analysis of the racial composition of
12 law enforcement agencies in this State, with the goal of identifying
13 those agencies that might benefit most from eliminating any
14 preference in hiring based upon residency.

15 ¹All law enforcement agencies in this State shall participate and
16 provide to the commission any requested information, whether or
17 not such law enforcement agency operates pursuant to the
18 provisions of Title 11A of the New Jersey Statutes.¹

19 b. In conducting the analysis, the commission or vendor shall, to
20 the greatest extent possible:

- 21 (1) examine the racial composition of law enforcement agencies;
22 (2) examine the salaries of law enforcement officers;
23 (3) analyze and compare the data obtained pursuant to
24 paragraphs (1) and (2) of this subsection;
25 (4) examine the variances in salaries based upon geography and
26 socioeconomic factors; and
27 (5) examine how residency hiring preferences affect the
28 incidence of diversity in law enforcement agencies.

29 c. Based upon the analysis, the commission shall consider
30 whether the practice of removing eligibles from certain lists based
31 upon residency should be discontinued.

32 d. The commission shall present the analysis to the Governor
33 and to the Legislature, pursuant to section 2 of P.L.1991, c.164
34 (C.52:14-19.1).

35 ¹e. For the purposes of this section, “law enforcement agency”
36 means and includes any county or municipal police department.¹
37

38 2. a. For the purposes of this section, “low-income community”
39 means any population census tract in which:

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:

¹Assembly floor amendments adopted June 21, 2021.

1 (1) the poverty rate for such tract is at least 20 percent, or

2 (2) (a) in the case of a tract not located within a metropolitan
3 area, the median family income for such tract does not exceed 80
4 percent of statewide median family income, or

5 (b) in the case of a tract located within a metropolitan area, the
6 median family income for such tract does not exceed 80 percent of
7 the greater of statewide median family income or the metropolitan
8 area median family income.

9 b. The Civil Service Commission shall create a program with a
10 goal of achieving at least one of the following two objectives:

11 (1) sponsoring free or low-cost preparatory courses for the entry
12 level law enforcement examination for residents of any low-income
13 community or of any municipality in this State with at least one
14 “qualified opportunity zone” as determined under 26 U.S.C. 1400Z-
15 1; or

16 (2) providing, securing, or identifying scholarships for alternate
17 route programs or preparatory courses for the entry level law
18 enforcement examination for residents of any low-income
19 community or of any municipality in this State with at least one
20 “qualified opportunity zone” as determined under 26 U.S.C. 1400Z-
21 1.

22 The commission, or a designee thereof, is authorized to receive
23 gifts, grants, or other financial assistance from private sources for
24 the purpose of sponsoring the courses or funding the scholarships
25 offered pursuant to this section, and entering into agreements
26 related thereto with private sources, including but not limited to
27 non-governmental, non-profit, educational, or charitable entities or
28 institutions.

29 c. The commission may promulgate regulations to effectuate the
30 provisions of this section which shall be effective immediately upon
31 filing with the Office of Administrative Law for a period not to
32 exceed 18 months, and may, thereafter, be amended, adopted or
33 readopted in accordance with the provisions of the “Administrative
34 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.).

35

36 3. This act shall take effect immediately.

37

38

39

40

41 Requires Civil Services Commission to undertake various
42 initiatives to increase diversity and inclusivity within law
43 enforcement agencies.

CHAPTER 234

AN ACT concerning diversity and inclusivity within law enforcement agencies in this State and supplementing P.L.1948, c.439 (C.52:17B-1 et seq.).

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

1. a. The Civil Service Commission shall conduct, or select a qualified vendor to conduct, beginning not later than one year following enactment of this act, P.L.2021, c.234, an analysis of the racial composition of law enforcement agencies in this State, with the goal of identifying those agencies that might benefit most from eliminating any preference in hiring based upon residency.

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

b. In conducting the analysis, the commission or vendor shall, to the greatest extent possible:

(1) examine the racial composition of law enforcement agencies;

(2) examine the salaries of law enforcement officers;

(3) analyze and compare the data obtained pursuant to paragraphs (1) and (2) of this subsection;

(4) examine the variances in salaries based upon geography and socioeconomic factors; and

(5) examine how residency hiring preferences affect the incidence of diversity in law enforcement agencies.

c. Based upon the analysis, the commission shall consider whether the practice of removing eligibles from certain lists based upon residency should be discontinued.

d. The commission shall present the analysis to the Governor and to the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

e. For the purposes of this section, "law enforcement agency" means and includes any county or municipal police department.

C.52:17B-77.18 "Low-income community" defined; Civil Service Commission program creation for preparatory courses, funding, law enforcement examinations.

2. a. For the purposes of this section, "low-income community" means any population census tract in which:

(1) the poverty rate for such tract is at least 20 percent, or

(2) (a) in the case of a tract not located within a metropolitan area, the median family income for such tract does not exceed 80 percent of statewide median family income, or

(b) in the case of a tract located within a metropolitan area, the median family income for such tract does not exceed 80 percent of the greater of statewide median family income or the metropolitan area median family income.

b. The Civil Service Commission shall create a program with a goal of achieving at least one of the following two objectives:

(1) sponsoring free or low-cost preparatory courses for the entry level law enforcement examination for residents of any low-income community or of any municipality in this State with at least one "qualified opportunity zone" as determined under 26 U.S.C. 1400Z-1; or

(2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any

low-income community or of any municipality in this State with at least one “qualified opportunity zone” as determined under 26 U.S.C. 1400Z-1.

The commission, or a designee thereof, is authorized to receive gifts, grants, or other financial assistance from private sources for the purpose of sponsoring the courses or funding the scholarships offered pursuant to this section, and entering into agreements related thereto with private sources, including but not limited to non-governmental, non-profit, educational, or charitable entities or institutions.

c. The commission may promulgate regulations to effectuate the provisions of this section which 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.).

3. This act shall take effect immediately.

Approved September 28, 2021.

SENATE, No. 2765

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 3, 2020

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator RONALD L. RICE

District 28 (Essex)

Senator M. TERESA RUIZ

District 29 (Essex)

Co-Sponsored by:

Senators Pou, Turner, Greenstein and Singleton

SYNOPSIS

Requires Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT concerning diversity and inclusivity within law
2 enforcement agencies in this State and supplementing P.L.1948,
3 c.439 (C.52:17B-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. The Civil Service Commission shall conduct, or select a
9 qualified vendor to conduct, within one year following enactment of
10 this act, P.L. , c. (pending before the Legislature as this bill), an
11 analysis of the racial composition of law enforcement agencies in
12 this State, with the goal of identifying those agencies that might
13 benefit most from eliminating any preference in hiring based upon
14 residency.

15 b. In conducting the analysis, the commission or vendor shall, to
16 the greatest extent possible:

17 (1) examine the racial composition of law enforcement agencies;

18 (2) examine the salaries of law enforcement officers;

19 (3) analyze and compare the data obtained pursuant to
20 paragraphs (1) and (2) of this subsection;

21 (4) examine the variances in salaries based upon geography and
22 socioeconomic factors; and

23 (5) examine how residency hiring preferences affect the
24 incidence of diversity in law enforcement agencies.

25 c. Based upon the analysis, the commission shall consider
26 whether the practice of removing eligibles from certain lists based
27 upon residency should be discontinued.

28 d. The commission shall present the analysis to the Governor and
29 to the Legislature, pursuant to section 2 of P.L.1991, c.164
30 (C.52:14-19.1).
31

32 2. a. For the purposes of this section, “low-income community”
33 means any population census tract in which:

34 (1) the poverty rate for such tract is at least 20 percent, or

35 (2) (a) in the case of a tract not located within a metropolitan
36 area, the median family income for such tract does not exceed 80
37 percent of statewide median family income, or

38 (b) in the case of a tract located within a metropolitan area, the
39 median family income for such tract does not exceed 80 percent of
40 the greater of statewide median family income or the metropolitan
41 area median family income.

42 b. The Civil Service Commission shall create a program with a
43 goal of achieving at least one of the following two objectives:

44 (1) sponsoring free or low-cost preparatory courses for the entry
45 level law enforcement examination for residents of any low-income
46 community or of any municipality in this State with at least one
47 “qualified opportunity zone” as determined under 26 U.S.C. 1400Z-
48 1; or

1 (2) providing, securing, or identifying scholarships for alternate
2 route programs or preparatory courses for the entry level law
3 enforcement examination for residents of any low-income
4 community or of any municipality in this State with at least one
5 “qualified opportunity zone” as determined under 26 U.S.C. 1400Z-
6 1.

7 The commission, or a designee thereof, is authorized to receive
8 gifts, grants, or other financial assistance from private sources for
9 the purpose of sponsoring the courses or funding the scholarships
10 offered pursuant to this section, and entering into agreements
11 related thereto with private sources, including but not limited to
12 non-governmental, non-profit, educational, or charitable entities or
13 institutions.

14 c. The commission may promulgate regulations to effectuate the
15 provisions of this section which shall be effective immediately upon
16 filing with the Office of Administrative Law for a period not to
17 exceed 18 months, and may, thereafter, be amended, adopted or
18 readopted in accordance with the provisions of the “Administrative
19 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.).

20
21 3. This act shall take effect immediately.
22
23

24 STATEMENT
25

26 This bill requires the Civil Services Commission to undertake
27 various initiatives to increase diversity and inclusivity within law
28 enforcement agencies.

29 The bill directs the Civil Service Commission to conduct, or hire
30 a qualified vendor to conduct, an analysis of the racial composition
31 of law enforcement agencies in this State. The goal of the analysis
32 would be to identify the agencies that might benefit most from
33 eliminating the preference in hiring based upon residency.

34 In conducting the analysis, the commission or vendor is to:

- 35 (1) examine the racial composition of law enforcement agencies;
36 (2) examine the salaries of law enforcement officers;
37 (3) analyze and compare the data from (1) and (2);
38 (4) examine the variances in salaries based upon geography and
39 socioeconomic factors; and
40 (5) examine how residency hiring preferences affect the
41 incidence of diversity in law enforcement agencies.

42 The bill also directs the commission to create a program with
43 the goal of achieving at least one of the following two objectives:

- 44 (1) sponsoring free or low-cost preparatory courses for the entry
45 level law enforcement examination for residents of any low-income
46 community, as defined in the bill, or of any municipality with at
47 least one “qualified opportunity zone,” as identified under federal
48 regulations; or

S2765 SWEENEY, RICE

4

1 (2) providing, securing, or identifying scholarships for alternate
2 route programs or preparatory courses for the entry level law
3 enforcement examination for residents of any low-income
4 community or “qualified opportunity zone.”

5 The bill authorizes the commission to receive gifts, grants, or
6 other financial assistance from private sources to fund these courses
7 or scholarships.

ASSEMBLY COMMUNITY DEVELOPMENT AND AFFAIRS
COMMITTEE

STATEMENT TO
SENATE, No. 2765

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 2021

The Assembly Community Development and Affairs Committee reports favorably Senate Bill No. 2765.

This bill requires the Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

The bill directs the Civil Service Commission to conduct, or hire a qualified vendor to conduct, an analysis of the racial composition of law enforcement agencies in this State. The goal of the analysis would be to identify the agencies that might benefit most from eliminating the preference in hiring based upon residency.

In conducting the analysis, the commission or vendor is to:

- (1) examine the racial composition of law enforcement agencies;
- (2) examine the salaries of law enforcement officers;
- (3) analyze and compare the data from (1) and (2);
- (4) examine the variances in salaries based upon geography and socioeconomic factors; and
- (5) examine how residency hiring preferences affect the incidence of diversity in law enforcement agencies.

The bill also directs the commission to create a program with the goal of achieving at least one of the following two objectives:

- (1) sponsoring free or low-cost preparatory courses for the entry level law enforcement examination for residents of any low-income community, as defined in the bill, or of any municipality with at least one “qualified opportunity zone,” as identified under federal regulations; or
- (2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any low-income community or “qualified opportunity zone.”

The bill authorizes the commission to receive gifts, grants, or other financial assistance from private sources to fund these courses or scholarships.

As reported by the committee, this bill is identical to Assembly Bill No. 4542 which the committee also reported on this date.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2765

STATE OF NEW JERSEY

DATED: JUNE 16, 2021

The Assembly Appropriations Committee reports favorably Senate Bill No. 2765.

This bill requires the Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

The bill directs the Civil Service Commission to conduct, or hire a qualified vendor to conduct, an analysis of the racial composition of law enforcement agencies in this State. The goal of the analysis would be to identify the agencies that might benefit most from eliminating the preference in hiring based upon residency.

In conducting the analysis, the commission or vendor is to:

- (1) examine the racial composition of law enforcement agencies;
- (2) examine the salaries of law enforcement officers;
- (3) analyze and compare the data from (1) and (2);
- (4) examine the variances in salaries based upon geography and socioeconomic factors; and
- (5) examine how residency hiring preferences affect the incidence of diversity in law enforcement agencies.

The bill also directs the commission to create a program with the goal of achieving at least one of the following two objectives:

- (1) sponsoring free or low-cost preparatory courses for the entry level law enforcement examination for residents of any low-income community, as defined in the bill, or of any municipality with at least one “qualified opportunity zone,” as identified under federal regulations; or
- (2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any low-income community or “qualified opportunity zone.”

The bill authorizes the commission to receive gifts, grants, or other financial assistance from private sources to fund these courses or scholarships.

As reported by the committee, Senate Bill No. 2765 is identical to Assembly Bill No. 4542, which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) projects that the enactment of this bill will result in a one-time indeterminate expenditure increase to the State due to the bill's requirement for the Civil Service Commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State's law enforcement agencies.

The OLS further projects that this bill will result in an indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2765

STATE OF NEW JERSEY

DATED: AUGUST 21, 2020

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 2765.

As reported by the committee, Senate Bill No. 2765 requires the Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

The bill directs the Civil Service Commission to conduct, or hire a qualified vendor to conduct, an analysis of the racial composition of law enforcement agencies in this State. The goal of the analysis would be to identify the agencies that might benefit most from eliminating the preference in hiring based upon residency.

In conducting the analysis, the commission or vendor is to:

- (1) examine the racial composition of law enforcement agencies;
- (2) examine the salaries of law enforcement officers;
- (3) analyze and compare the data from (1) and (2);
- (4) examine the variances in salaries based upon geography and socioeconomic factors; and
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The bill also directs the commission to create a program with the goal of achieving at least one of the following two objectives:

- (1) sponsoring free or low-cost preparatory courses for the entry level law enforcement examination for residents of any low-income community, as defined in the bill, or of any municipality with at least one “qualified opportunity zone,” as identified under federal regulations; or
- (2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any low-income community or “qualified opportunity zone.”

The bill authorizes the commission to receive gifts, grants, or other financial assistance from private sources to fund these courses or scholarships.

STATEMENT TO
SENATE, No. 2765

with Assembly Floor Amendments
(Proposed by Assemblywoman REYNOLDS-JACKSON)

ADOPTED: JUNE 21, 2021

These Assembly Amendments:

- (1) require all law enforcement agencies in this State to participate and provide to the commission any requested information, whether or not such law enforcement agency operates pursuant to the provisions of Title 11A of the New Jersey Statutes; and
- (2) provide that “law enforcement agency” means and includes any county or municipal police department.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2765
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: SEPTEMBER 1, 2020

SUMMARY

Synopsis: Requires Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

Type of Impact: State Expenditure Increase.

Agencies Affected: New Jersey Civil Service Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) projects that the enactment of this bill will result in a one-time indeterminate expenditure increase to the State due to the bill’s requirement for the Civil Service Commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State’s law enforcement agencies.
- The OLS further projects that this bill will result in indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

BILL DESCRIPTION

This bill requires the Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

The bill directs the Civil Service Commission to conduct, or hire a qualified vendor to conduct, an analysis of the racial composition of law enforcement agencies in this State. The goal of the analysis would be to identify the agencies that might benefit most from eliminating the preference in hiring based upon residency.

The bill also directs the commission to create a program with the goal of achieving at least one of the following two objectives:

(1) sponsoring free or low-cost preparatory courses for the entry level law enforcement examination for residents of any low-income community, as defined in the bill, or of any municipality with at least one “qualified opportunity zone,” as identified under federal regulations; or

(2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any low-income community or “qualified opportunity zone.”

The bill authorizes the commission to receive gifts, grants, or other financial assistance from private sources to fund these courses or scholarships.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will result in a one-time indeterminate increase in State expenditures due to the requirement for the commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State’s law enforcement agencies.

The OLS projects that this bill will result in indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

For purposes of illustration, the Uniform Crime Reporting Program of New Jersey (crime report) incorporates the collection of pertinent data relating to the police of this State. The latest crime report issued stated that, in 2016, there were approximately 47,000 police employees, which included about 10,000 civilian employees.

The OLS notes that the magnitude of the expenditure increases will depend on operating and regulatory decisions by the commission.

Section: Commerce, Labor and Industry
Analyst: Juan C. Rodriguez
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

[First Reprint]

SENATE, No. 2765 STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 28, 2021

SUMMARY

- Synopsis:** Requires Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.
- Type of Impact:** State Expenditure Increase.
- Agencies Affected:** New Jersey Civil Service Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) projects that the enactment of this bill will result in a one-time indeterminate expenditure increase to the State due to the bill's requirement for the Civil Service Commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State's law enforcement agencies.
- The OLS further projects that this bill will result in indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

BILL DESCRIPTION

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The bill also directs the commission to create a program with the goal of achieving at least one of the following two objectives:

(1) sponsoring free or low-cost preparatory courses for the entry level law enforcement examination for residents of any low-income community, as defined in the bill, or of any municipality with at least one “qualified opportunity zone,” as identified under federal regulations; or

(2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any low-income community or “qualified opportunity zone.”

The bill authorizes the commission to receive gifts, grants, or other financial assistance from private sources to fund these courses or scholarships.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will result in a one-time indeterminate increase in State expenditures due to the requirement for the commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State’s law enforcement agencies.

The OLS projects that this bill will result in indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

For purposes of illustration, the Uniform Crime Reporting Program of New Jersey (crime report) incorporates the collection of pertinent data relating to the police of this State. The latest crime report issued stated that, in 2016, there were approximately 47,000 police employees, which included about 10,000 civilian employees.

The OLS notes that the magnitude of the expenditure increases will depend on operating and regulatory decisions by the commission.

Section: Commerce, Labor and Industry
Analyst: Juan C. Rodriguez
Senior Fiscal Analyst
Approved: Thomas Koenig
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. 4542

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 13, 2020

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

**Assemblywomen Speight, Murphy, Mosquera, Carter, Timberlake and
Vainieri Huttle**

SYNOPSIS

Requires Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/21/2021)

1 AN ACT concerning diversity and inclusivity within law
2 enforcement agencies in this State and supplementing P.L.1948,
3 c.439 (C.52:17B-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. The Civil Service Commission shall conduct, or select a
9 qualified vendor to conduct, within one year following enactment of
10 this act, P.L. , c. (pending before the Legislature as this bill), an
11 analysis of the racial composition of law enforcement agencies in
12 this State, with the goal of identifying those agencies that might
13 benefit most from eliminating any preference in hiring based upon
14 residency.

15 b. In conducting the analysis, the commission or vendor shall, to
16 the greatest extent possible:

17 (1) examine the racial composition of law enforcement agencies;

18 (2) examine the salaries of law enforcement officers;

19 (3) analyze and compare the data obtained pursuant to
20 paragraphs (1) and (2) of this subsection;

21 (4) examine the variances in salaries based upon geography and
22 socioeconomic factors; and

23 (5) examine how residency hiring preferences affect the
24 incidence of diversity in law enforcement agencies.

25 c. Based upon the analysis, the commission shall consider
26 whether the practice of removing eligibles from certain lists based
27 upon residency should be discontinued.

28 d. The commission shall present the analysis to the Governor and
29 to the Legislature, pursuant to section 2 of P.L.1991, c.164
30 (C.52:14-19.1).
31

32 2. a. For the purposes of this section, “low-income community”
33 means any population census tract in which:

34 (1) the poverty rate for such tract is at least 20 percent, or

35 (2) (a) in the case of a tract not located within a metropolitan
36 area, the median family income for such tract does not exceed 80
37 percent of statewide median family income, or

38 (b) in the case of a tract located within a metropolitan area, the
39 median family income for such tract does not exceed 80 percent of
40 the greater of statewide median family income or the metropolitan
41 area median family income.

42 b. The Civil Service Commission shall create a program with a
43 goal of achieving at least one of the following two objectives:

44 (1) sponsoring free or low-cost preparatory courses for the entry
45 level law enforcement examination for residents of any low-income
46 community or of any municipality in this State with at least one
47 “qualified opportunity zone” as determined under 26 U.S.C. 1400Z-
48 1; or

1 (2) providing, securing, or identifying scholarships for alternate
2 route programs or preparatory courses for the entry level law
3 enforcement examination for residents of any low-income
4 community or of any municipality in this State with at least one
5 “qualified opportunity zone” as determined under 26 U.S.C. 1400Z-
6 1.

7 The commission, or a designee thereof, is authorized to receive
8 gifts, grants, or other financial assistance from private sources for
9 the purpose of sponsoring the courses or funding the scholarships
10 offered pursuant to this section, and entering into agreements
11 related thereto with private sources, including but not limited to
12 non-governmental, non-profit, educational, or charitable entities or
13 institutions.

14 c. The commission may promulgate regulations to effectuate the
15 provisions of this section which shall be effective immediately upon
16 filing with the Office of Administrative Law for a period not to
17 exceed 18 months, and may, thereafter, be amended, adopted or
18 readopted in accordance with the provisions of the “Administrative
19 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.).
20

21 3. This act shall take effect immediately.
22
23

24 STATEMENT
25

26 This bill requires the Civil Services Commission to undertake
27 various initiatives to increase diversity and inclusivity within law
28 enforcement agencies.

29 The bill directs the Civil Service Commission to conduct, or hire
30 a qualified vendor to conduct, an analysis of the racial composition
31 of law enforcement agencies in this State. The goal of the analysis
32 would be to identify the agencies that might benefit most from
33 eliminating the preference in hiring based upon residency.

34 In conducting the analysis, the commission or vendor is to:

- 35 (1) examine the racial composition of law enforcement agencies;
36 (2) examine the salaries of law enforcement officers;
37 (3) analyze and compare the data from (1) and (2);
38 (4) examine the variances in salaries based upon geography and
39 socioeconomic factors; and
40 (5) examine how residency hiring preferences affect the
41 incidence of diversity in law enforcement agencies.

42 The bill also directs the commission to create a program with the
43 goal of achieving at least one of the following two objectives:

- 44 (1) sponsoring free or low-cost preparatory courses for the entry
45 level law enforcement examination for residents of any low-income
46 community, as defined in the bill, or of any municipality with at
47 least one “qualified opportunity zone,” as identified under federal
48 regulations; or

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4

1 (2) providing, securing, or identifying scholarships for alternate
2 route programs or preparatory courses for the entry level law
3 enforcement examination for residents of any low-income
4 community or “qualified opportunity zone.”

5 The bill authorizes the commission to receive gifts, grants, or
6 other financial assistance from private sources to fund these courses
7 or scholarships.

ASSEMBLY COMMUNITY DEVELOPMENT AND AFFAIRS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 4542

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 2021

The Assembly Community Development and Affairs Committee reports favorably Assembly Bill No. 4542.

This bill requires the Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

The bill directs the Civil Service Commission to conduct, or hire a qualified vendor to conduct, an analysis of the racial composition of law enforcement agencies in this State. The goal of the analysis would be to identify the agencies that might benefit most from eliminating the preference in hiring based upon residency.

In conducting the analysis, the commission or vendor is to:

- (1) examine the racial composition of law enforcement agencies;
- (2) examine the salaries of law enforcement officers;
- (3) analyze and compare the data from (1) and (2);
- (4) examine the variances in salaries based upon geography and socioeconomic factors; and
- (5) examine how residency hiring preferences affect the incidence of diversity in law enforcement agencies.

The bill also directs the commission to create a program with the goal of achieving at least one of the following two objectives:

- (1) sponsoring free or low-cost preparatory courses for the entry level law enforcement examination for residents of any low-income community, as defined in the bill, or of any municipality with at least one “qualified opportunity zone,” as identified under federal regulations; or
- (2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any low-income community or “qualified opportunity zone.”

The bill authorizes the commission to receive gifts, grants, or other financial assistance from private sources to fund these courses or scholarships.

As reported by the committee, this bill is identical to Senate Bill No. 2765 which the committee also reported on this date.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4542

STATE OF NEW JERSEY

DATED: JUNE 16, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4542.

This bill requires the Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

The bill directs the Civil Service Commission to conduct, or hire a qualified vendor to conduct, an analysis of the racial composition of law enforcement agencies in this State. The goal of the analysis would be to identify the agencies that might benefit most from eliminating the preference in hiring based upon residency.

In conducting the analysis, the commission or vendor is to:

- (1) examine the racial composition of law enforcement agencies;
- (2) examine the salaries of law enforcement officers;
- (3) analyze and compare the data from (1) and (2);
- (4) examine the variances in salaries based upon geography and socioeconomic factors; and
- (5) examine how residency hiring preferences affect the incidence of diversity in law enforcement agencies.

The bill also directs the commission to create a program with the goal of achieving at least one of the following two objectives:

- (1) sponsoring free or low-cost preparatory courses for the entry level law enforcement examination for residents of any low-income community, as defined in the bill, or of any municipality with at least one “qualified opportunity zone,” as identified under federal regulations; or
- (2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any low-income community or “qualified opportunity zone.”

The bill authorizes the commission to receive gifts, grants, or other financial assistance from private sources to fund these courses or scholarships.

As reported by the committee, Assembly Bill No. 4542 is identical to Senate Bill No. 2765, which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) projects that the enactment of this bill will result in a one-time indeterminate expenditure increase to the State due to the bill's requirement for the Civil Service Commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State's law enforcement agencies.

The OLS further projects that this bill will result in an indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

STATEMENT TO
ASSEMBLY, No. 4542

with Assembly Floor Amendments
(Proposed by Assemblywoman REYNOLDS-JACKSON)

ADOPTED: JUNE 21, 2021

These Assembly Amendments:

- (1) require all law enforcement agencies in this State to participate and provide to the commission any requested information, whether or not such law enforcement agency operates pursuant to the provisions of Title 11A of the New Jersey Statutes; and
- (2) provide that “law enforcement agency” means and includes any county or municipal police department.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 4542
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JUNE 24, 2021

SUMMARY

Synopsis: Requires Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

Type of Impact: State Expenditure Increase.

Agencies Affected: New Jersey Civil Service Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) projects that the enactment of this bill will result in a one-time indeterminate expenditure increase to the State due to the bill's requirement for the Civil Service Commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State's law enforcement agencies.
- The OLS further projects that this bill will result in indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

BILL DESCRIPTION

This bill requires the Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

The bill directs the Civil Service Commission to conduct, or hire a qualified vendor to conduct, an analysis of the racial composition of law enforcement agencies in this State. The goal of the analysis would be to identify the agencies that might benefit most from eliminating the preference in hiring based upon residency.

The bill also directs the commission to create a program with the goal of achieving at least one of the following two objectives:

(1) sponsoring free or low-cost preparatory courses for the entry level law enforcement examination for residents of any low-income community, as defined in the bill, or of any

municipality with at least one “qualified opportunity zone,” as identified under federal regulations; or

(2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any low-income community or “qualified opportunity zone.”

The bill authorizes the commission to receive gifts, grants, or other financial assistance from private sources to fund these courses or scholarships.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will result in a one-time indeterminate increase in State expenditures due to the requirement for the commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State’s law enforcement agencies.

The OLS projects that this bill will result in indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

For purposes of illustration, the Uniform Crime Reporting Program of New Jersey (crime report) incorporates the collection of pertinent data relating to the police of this State. The latest crime report issued stated that, in 2016, there were approximately 47,000 police employees, which included about 10,000 civilian employees.

The OLS notes that the magnitude of the expenditure increases will depend on operating and regulatory decisions by the commission.

Section: Commerce, Labor and Industry
Analyst: Juan C. Rodriguez
Senior Fiscal Analyst
Approved: Thomas Koenig
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

[First Reprint]

ASSEMBLY, No. 4542

STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 30, 2021

SUMMARY

- Synopsis:** Requires Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.
- Type of Impact:** State Expenditure Increase.
- Agencies Affected:** New Jersey Civil Service Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) projects that the enactment of this bill will result in a one-time indeterminate expenditure increase to the State due to the bill's requirement for the Civil Service Commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State's law enforcement agencies.
- The OLS further projects that this bill will result in indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

BILL DESCRIPTION

This bill requires the Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.

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(2) providing, securing, or identifying scholarships for alternate route programs or preparatory courses for the entry level law enforcement examination for residents of any low-income community or “qualified opportunity zone.”

The bill authorizes the commission to receive gifts, grants, or other financial assistance from private sources to fund these courses or scholarships.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will result in a one-time indeterminate increase in State expenditures due to the requirement for the commission to conduct, or hire a vendor to conduct, a racial composition analysis of the State’s law enforcement agencies.

The OLS projects that this bill will result in indeterminate annual increase in costs to the State tied to the requirement for the commission to create an entry-level law enforcement preparatory program.

For purposes of illustration, the Uniform Crime Reporting Program of New Jersey (crime report) incorporates the collection of pertinent data relating to the police of this State. The latest crime report issued stated that, in 2016, there were approximately 47,000 police employees, which included about 10,000 civilian employees.

The OLS notes that the magnitude of the expenditure increases will depend on operating and regulatory decisions by the commission.

Section: Commerce, Labor and Industry
Analyst: Juan C. Rodriguez
Senior Fiscal Analyst
Approved: Thomas Koenig
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 Announces Appointment of Jayné Johnson as Director of the Office of Diversity, Equity, Inclusion, and Belonging

09/28/2021

Governor Also Signs Sweeping Legislative Package to Bolster Diversity Within Law Enforcement

TRENTON – Governor Phil Murphy today signed Executive Order No. 265 to create the Office of Diversity, Equity, Inclusion, and Belonging in the Governor’s Office. This new internal office, led by Jayné Johnson, aims to dismantle inequity within State government based on race, ethnicity, and other protected characteristics and to expand opportunities for communities of color and other underserved New Jerseyans. The office will also be committed to fostering greater inclusion and understanding of issues of diversity, equity, and belonging.

Additionally, the Governor signed a legislative package to bring greater diversity to the ranks of law enforcement. The bills direct the Civil Service Commission to implement several programs to promote diversity in law enforcement. The programs include a mentorship program for law enforcement applicants as well as the creation of a statewide database to assist the Commission in understanding the reason for an applicant’s selection or disqualification during the hiring process. “With today’s executive order and bill signings, we are building on our commitment to advance equity for New Jerseyans who have been left behind for far too long,” **said Governor Murphy**. “Jayné’s wealth of experience advocating for social justice and prior work crafting policy solutions that promote equity will serve her well in this role. I am proud to appoint her as the Director of this important new office and to sign a legislative package to ensure a stronger and fairer New Jersey that works for all.”

“During my career, I have had the honor of serving in different leadership roles to achieve equity to combat the long-standing problem of systemic racism and discrimination in our laws, economy, and institutions,” **said Jayné Johnson, incoming Director of the Office of Diversity, Equity, Inclusion, and Belonging at the Governor’s office**. “My new position in the Governor’s Office will allow me to continue doing critical work to build a more equitable and inclusive future and I appreciate the Governor’s confidence in me and the opportunity to serve the people of New Jersey.”

Johnson brings extensive advocacy, public service, and policy experience to the Governor’s Office. She previously served as a senior policy analyst at The Council of State Governments Justice Center where she provided strategic direction in launching the federally supported Justice Reinvestment Initiative. During her time at the Council of State Governments Justice Center, she was selected to join the urgent work in Minnesota, focusing on addressing the inequities in the state’s probation system, including the lack of uniformity in local administration and the overrepresentation of Native Americans and Blacks in the system. She also previously served as Senior Counsel at the New Jersey Institute for Social Justice where she championed workforce systems and housing reforms aimed at closing the racial wealth gap in New Jersey. Johnson received her Juris Doctor degree from Rutgers University Law School in Newark, New Jersey, and a Bachelor of Arts degree in international studies from Oakwood University.

The Office of Diversity, Equity, Inclusion, and Belonging in the Governor’s Office will focus on:

- Overseeing training, coordinating programing, and developing policies to advance equity across all of state government;

- Ensuring equity, anti-discrimination, and anti-racism considerations are integrated into all decision making across state government from specific policy matters to legislation;
- Establishing a statewide structure to ensure stakeholders and staff improve their ability to recognize and address structural inequities; and
- Working with the private sector to develop methods to ensure equity in their processes related to state engagements.

"Jayné is a true professional who is deeply respected by her colleagues," **said Megan Quattlebaum, Director of the Council of State Governments Justice Center.** "While at the CSG Justice Center, Jayné was able to bring diverse groups of stakeholders together for tough but important conversations. In Jayné, Governor Murphy is getting a dynamic leader who understands the moment and will make New Jersey a more inclusive state for everyone. We are proud and honored to have worked alongside her."

"The public health and economic crises of the past year and a half have laid bare the injustices that fall disproportionately on low-income residents, who are primarily Black and Brown people and women," **said Renee Koubiadis, Anti-Poverty Program Director of New Jersey Citizen Action.** "There is much that needs to be done to counteract the structural racism and systemic poverty that has grown over decades and centuries. The creation of the Office of Diversity, Equity, Inclusion, and Belonging is an important step in addressing structural inequities across state government."

"Prioritizing diversity, equity, inclusion, and belonging is necessary for New Jersey to advance racial justice and repair the harms of the past," **said Brandon McKoy, President of New Jersey Policy Perspective.** "Jayné Johnson is an incredible choice to spearhead these initiatives within the Murphy administration and brings an unparalleled depth of experience to the front office. Recognizing that personnel is policy, I commend Governor Murphy for this strong pick and look forward to seeing what Jayné accomplishes in her new role."

For a picture of Jayné Johnson, please click [here](#).

[Copy of Executive Order No. 265](#)

The Governor signed the following bills into law:

- **S-2765/A-4542 (Sweeney, Rice, Ruiz/Reynolds-Jackson, Johnson)** - Requires Civil Services Commission to undertake various initiatives to increase diversity and inclusivity within law enforcement agencies.
- **S-2766/A-4517 (Sweeney, Rice/Reynolds-Jackson, McKnight, Johnson)** - Requires Civil Service Commission establish mentoring program for certain civil service law enforcement applicants.
- **S-2767/A-4598 (Cryan, Rice, Sweeney, Ruiz/Reynolds-Jackson, Carter, Vainieri Huttle)** - Establishes database to aid in civil service hiring process for certain law enforcement officers; requires Statewide diversity analysis of law enforcement.

"We can bring more diversity to police forces and other law enforcement agencies by breaking down the barriers that make it much harder for minorities to join the ranks and to be treated fairly," **said Senate President Steve Sweeney.** "This will help applicants overcome some of the institutional obstacles and biases that minorities face at the same time we help make police departments better reflect the communities they serve. This is a matter of equal opportunity and social justice."

"If we are ever going to see our police forces and law enforcement truly reflect the diversity of our state, we must start by understanding their current make-up, collecting data, and tracking the progress so we can be more deliberative and intentional in our reforms," **said Senator Teresa Ruiz.** "Such provisions will lead to a more inclusive workforce at state and local law enforcement agencies. The more departments reflect the racial and ethnic make-up of the people they serve the better suited they will be to meet the needs of all communities."

"New Jersey is the most diverse state in the nation and we should have a police force that reflects the residents and communities they patrol," **said Senator Ronald Rice.** "As a former Newark police officer, I

understand that diversity in our departments is crucial for building trust between the police and the people. This will help us build that diversity in departments that so many municipalities need.”

“More diversity among law enforcement is a matter of equal opportunity and social justice, but it is also a means to more effective law enforcement,” **said Senator Joseph Cryan, the former Union County Sheriff.** “It will help improve the working relationship between police departments and the communities they serve by preventing crime, working effectively with victims and teaming up with residents to keep their communities safe.”

“Decades of systemic racism, inequality, and mistrust of law by the black community enforcement was further exacerbated last year by the onset of the Covid-19 pandemic and the public incidents of police brutality,” **said Assemblywoman Verlina Reynolds-Jackson, who sponsors all three bills.** “Communities, while battling a historic public health crisis, gathered in protest after the public deaths of George Floyd, Ahmaud Arbery, and Breonna Taylor and reignited a call for justice and fair policing around the country. These three bills were introduced in the spirit of social justice and equality. Promoting diversity with a focus on mentoring and recruitment of women and minorities in law enforcement is an important step. It will help foster better relations between and all communities.”

“The mentoring program will assist law enforcement applicants, women and people of color, through the civil service application and selection process, and help address obstacles unique to their circumstances,” **said Assemblywoman Angela McKnight.** “A more diverse cadre of police officers, that reflect all of the communities they serve, will be essential to repair the divide between communities and police. Through mentoring projects, and sharing information about civil service practices we can encourage and guide applicants, overcoming barriers to employment.”

“More diversity among law enforcement is a matter of equal opportunity and social justice, but it would also mean a more effective law enforcement,” **said Assemblyman Gordon Johnson.** “Laws such as this can bring more diversity to police forces and other law enforcement agencies by breaking down the barriers that are often institutional obstacles and biases that make it much harder for minorities to join the ranks and to be treated fairly. New Jersey is the most diverse state in the nation and we should have a police force that reflects the residents and communities they patrol.”

“The database will help ensure the Commission would have all relevant information from all candidates to better understand how new candidates are selected or not selected during the hiring process,” **said Assemblywoman Linda Carter.** “Keeping track of this process lets us see how we can bolster hiring of women and minorities to law enforcement positions. Diversity is the key to breaking the decades-long cycle of brutality, the lack of accountability, and cultural understanding of our communities by law enforcement.”

“Expanding diversity and inclusivity in law enforcement is crucial to ensuring equitable policing practices in our communities in the future,” **said Assemblywoman Valerie Vainieri Huttle.** “Putting a system in place such as this database will help us track any progress being made to hire diverse candidates throughout the state.”