

40A:14-181.2
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2021 **CHAPTER:** 249

NJSA: 40A:14-181.2 (Prohibits law enforcement agencies from considering number of arrests made and citations issued when evaluating police officer's professional performance.)

BILL NO: S1322 (Substituted for A4058 (1R))

SPONSOR(S) Turner, Shirley K. and others

DATE INTRODUCED: 2/10/2020

COMMITTEE: **ASSEMBLY:** Law & Public Safety

SENATE: Law & Public Safety

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 6/21/2021

SENATE: 1/11/2021

DATE OF APPROVAL: 10/7/2021

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

S1322

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(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: No

LEGISLATIVE FISCAL ESTIMATE: No

A4058 (1R)

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(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: No

LEGISLATIVE FISCAL ESTIMATE:

No

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

RH/CL

P.L. 2021, CHAPTER 249, *approved October 7, 2021*
Senate, No. 1322 (*First Reprint*)

1 AN ACT concerning quotas for arrests and citations and amending
2 P.L.2000, c.164.

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

6
7 1. Section 2 of P.L.2000, c.164 (C.40A:14-181.2) is amended to
8 read as follows:

9 2. a. A State, county^{1,1} or municipal police department or force
10 engaged in the enforcement of Title 39 of the Revised Statutes or any
11 local ordinance adopted pursuant to this title shall not establish any
12 quota for arrests or citations. The department or force may, however,
13 collect, analyze^{1,1} and apply information concerning the number of
14 arrests and citations in order to ensure that a particular officer or group
15 of officers does not violate any applicable legal obligation and for the
16 purpose of forwarding that information to the Superintendent of State
17 Police for inclusion in the Uniform Crime Report.

18 b. The department or force shall not use the number of arrests or
19 citations issued by a law enforcement officer **【as the sole】** when
20 evaluating the performance of a law enforcement officer, or as a
21 criterion for promotion, demotion, dismissal, discipline, or the earning
22 of any benefit provided by the department or force. 【Any such arrests
23 or citations, and their ultimate dispositions, may be considered in
24 evaluating the overall performance of a law enforcement officer.】

25 ¹c. A department or force shall not post data regarding the number
26 of arrests or citations in any area that is common to all law
27 enforcement officers of the department or force, including a police
28 station or barracks, for the purpose of creating competition between
29 officers with respect to arrests and citations.¹

30 (cf: P.L.2000, c.164, s.2)

31

32 2. This act shall take effect immediately.

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37 Prohibits law enforcement agencies from considering number of
38 arrests made and citations issued when evaluating police officer's
39 professional performance.

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:

¹Senate SLP committee amendments adopted December 10, 2020.

CHAPTER 249

AN ACT concerning quotas for arrests and citations and amending P.L.2000, c.164.

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

1. Section 2 of P.L.2000, c.164 (C.40A:14-181.2) is amended to read as follows:

C.40A:14-181.2 Police ticket quota for motor vehicle violations prohibited; permitted use of statistics.

2. a. A State, county, or municipal police department or force engaged in the enforcement of Title 39 of the Revised Statutes or any local ordinance adopted pursuant to this title shall not establish any quota for arrests or citations. The department or force may, however, collect, analyze, and apply information concerning the number of arrests and citations in order to ensure that a particular officer or group of officers does not violate any applicable legal obligation and for the purpose of forwarding that information to the Superintendent of State Police for inclusion in the Uniform Crime Report.

b. The department or force shall not use the number of arrests or citations issued by a law enforcement officer when evaluating the performance of a law enforcement officer, or as a criterion for promotion, demotion, dismissal, discipline, or the earning of any benefit provided by the department or force.

c. A department or force shall not post data regarding the number of arrests or citations in any area that is common to all law enforcement officers of the department or force, including a police station or barracks, for the purpose of creating competition between officers with respect to arrests and citations.

2. This act shall take effect immediately.

Approved October 7, 2021.

SENATE, No. 1322

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 10, 2020

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator DAWN MARIE ADDIEGO

District 8 (Atlantic, Burlington and Camden)

Co-Sponsored by:

Senator Singleton

SYNOPSIS

Prohibits law enforcement agencies from considering number of arrests made and citations issued when evaluating police officer's professional performance.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/11/2020)

1 AN ACT concerning quotas for arrests and citations and amending
2 P.L.2000, c.164.

3

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

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7 1. Section 2 of P.L.2000, c.164 (C.40A:14-181.2) is amended
8 to read as follows:

9 2. a. A State, county or municipal police department or force
10 engaged in the enforcement of Title 39 of the Revised Statutes or
11 any local ordinance adopted pursuant to this title shall not establish
12 any quota for arrests or citations. The department or force may,
13 however, collect, analyze and apply information concerning the
14 number of arrests and citations in order to ensure that a particular
15 officer or group of officers does not violate any applicable legal
16 obligation and for the purpose of forwarding that information to the
17 Superintendent of State Police for inclusion in the Uniform Crime
18 Report.

19 b. The department or force shall not use the number of arrests
20 or citations issued by a law enforcement officer **[as the sole]** when
21 evaluating the performance of a law enforcement officer, or as a
22 criterion for promotion, demotion, dismissal, discipline, or the
23 earning of any benefit provided by the department or force. [Any
24 such arrests or citations, and their ultimate dispositions, may be
25 considered in evaluating the overall performance of a law
26 enforcement officer.]

27 (cf: P.L.2000, c.164, s.2)

28

29 2. This act shall take effect immediately.

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STATEMENT

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34 This bill prohibits law enforcement agencies from using the
35 volume of an officer's arrests or citations as a factor when
36 evaluating that officer's overall performance or when making
37 personnel determinations such as promotions, demotions and other
38 benefits of employment. The bill provides that a law enforcement
39 agency may collect, analyze and apply information concerning the
40 number of arrests and citations for the purpose of forwarding that
41 information to the Superintendent of State Police for inclusion in
42 the Uniform Crime Report.

43 Under current law, State and local law enforcement agencies are
44 prohibited from establishing policies requiring officers to meet
45 quotas for arrests and citations in enforcing the State's motor

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.

S1322 TURNER, ADDIEGO

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- 1 vehicle code. However, these agencies may consider arrest and
- 2 citation data as part of the officer's overall performance evaluation.
- 3 This bill prohibits this practice.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1322

STATE OF NEW JERSEY

DATED: JUNE 2, 2021

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 1322 (1R).

As reported by the committee, Senate Bill No. 1322 (1R) prohibits law enforcement agencies from considering how many arrests an officer makes or how many citations an officer issues as a factor when evaluating that officer's overall performance or when making personnel determinations, including promotions, demotions, and other benefits of employment. The bill provides that a law enforcement agency may collect, analyze, and apply information concerning the number of arrests and citations for the purpose of forwarding that information to the Superintendent of State Police to be included in the Uniform Crime Report.

As amended by the committee, law enforcement agencies are prohibited from posting arrest and citation data in common areas accessible to all law enforcement officers, such as a police station or barracks, to create competition between officers concerning arrests and citations.

Under current law, State and local law enforcement agencies are prohibited from establishing policies requiring officers to meet quotas for arrests and citations in enforcing the State's motor vehicle code. However, these agencies may consider arrest and citation data as part of the officer's overall performance evaluation. This bill prohibits this practice.

As reported by the committee, this bill is identical to Assembly Bill No. 4058, which was amended and reported on this same date.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1322

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2020

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1322.

As amended and reported by the committee, this bill prohibits law enforcement agencies from considering how many arrests an officer makes or how many citations an officer issues as a factor when evaluating that officer's overall performance or when making personnel determinations, including promotions, demotions, and other benefits of employment. The bill provides that a law enforcement agency may collect, analyze, and apply information concerning the number of arrests and citations for the purpose of forwarding that information to the Superintendent of State Police to be included in the Uniform Crime Report.

As amended by the committee, law enforcement agencies are prohibited from posting arrest and citation data in common areas accessible to all law enforcement officers, such as a police station or barracks, to create competition between officers concerning arrests and citations.

Under current law, State and local law enforcement agencies are prohibited from establishing policies requiring officers to meet quotas for arrests and citations in enforcing the State's motor vehicle code. However, these agencies may consider arrest and citation data as part of the officer's overall performance evaluation. This bill prohibits this practice.

COMMITTEE AMENDMENTS:

The committee amended the bill to prohibit police departments from posting the number of arrests or citations in any common areas, including police stations or barracks, in order to create competition between officers with respect to arrests and citations.

ASSEMBLY, No. 4058

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 7, 2020

Sponsored by:

Assemblyman HAROLD "HAL" J. WIRTHS

District 24 (Morris, Sussex and Warren)

Assemblyman ADAM J. TALIAFERRO

District 3 (Cumberland, Gloucester and Salem)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

**Assemblywoman Vainieri Huttle, Assemblyman Webber and
Assemblywoman Chaparro**

SYNOPSIS

Prohibits law enforcement agencies from considering number of arrests made and citations issued when evaluating police officer's professional performance.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/2/2021)

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2 P.L.2000, c.164.

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18 Report.

19 b. The department or force shall not use the number of arrests
20 or citations issued by a law enforcement officer **【as the sole】** when
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24 such arrests or citations, and their ultimate dispositions, may be
25 considered in evaluating the overall performance of a law
26 enforcement officer.】

27 (cf: P.L.2000, c.164, s.2)

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29 2. This act shall take effect immediately.

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STATEMENT

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34 This bill prohibits law enforcement agencies from using the
35 volume of an officer's arrests or citations as a factor when
36 evaluating that officer's overall performance or when making
37 personnel determinations such as promotions, demotions and other
38 benefits of employment. The bill provides that a law enforcement
39 agency may collect, analyze and apply information concerning the
40 number of arrests and citations for the purpose of forwarding that
41 information to the Superintendent of State Police for inclusion in
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Matter underlined thus is new matter.

A4058 WIRTHS, TALIAFERRO

3

- 1 vehicle code. However, these agencies may consider arrest and
- 2 citation data as part of the officer's overall performance evaluation.
- 3 This bill prohibits this practice.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4058

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 2, 2021

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 4058.

As amended and reported by the committee, Assembly Bill No. 4058 prohibits law enforcement agencies from considering how many arrests an officer makes or how many citations an officer issues as a factor when evaluating that officer's overall performance or when making personnel determinations, including promotions, demotions, and other benefits of employment. The amended bill provides that a law enforcement agency may collect, analyze, and apply information concerning the number of arrests and citations for the purpose of forwarding that information to the Superintendent of State Police to be included in the Uniform Crime Report.

As amended by the committee, law enforcement agencies are prohibited from posting arrest and citation data in common areas accessible to all law enforcement officers, such as a police station or barracks, to create competition between officers concerning arrests and citations.

Under current law, State and local law enforcement agencies are prohibited from establishing policies requiring officers to meet quotas for arrests and citations in enforcing the State's motor vehicle code. However, these agencies may consider arrest and citation data as part of the officer's overall performance evaluation. This bill prohibits this practice.

As amended and reported by the committee, this bill is identical to Senate Bill No. 1322 (1R), which also was reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to prohibit police departments from posting the number of arrests or citations in any common areas, including police stations or barracks, in order to create competition between officers with respect to arrests and citations.

Governor Murphy Takes Action on Legislation

10/7/2021

TRENTON – Today, Governor Murphy signed the following bill into law:

S-1322/A-4058 (Turner, Addiego/Wirths, Taliaferro, Space) - Prohibits law enforcement agencies from considering number of arrests made and citations issued when evaluating police officer's professional performance.