

52:17B-67 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:17B-67 et al (Police Training Commission--various amendments)

LAWS OF: 1985 **CHAPTER:** 491

BILL NO: S1764

Sponsor(s): Russo

Date Introduced: May 14, 1984

Committee: Assembly: Law, Public Safety and Defense

Senate: Law, Public Safety and Defense

Amended during passage: No Substituted for A2035 (not attached since identical to S1764). Amendments during passage denoted by asterisks.

Date of Passage: Assembly: June 17, 1985

Senate: November 29, 1984

Date of Approval: January 21, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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1-21-86
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SENATE, No. 1764

STATE OF NEW JERSEY

INTRODUCED MAY 14, 1984

By Senator RUSSO

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning the training of policemen and amending **and supplementing** P. L. 1961, c. 56.

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

1 1. Section 2 of P. L. 1961, c. 56 (C. 52:17B-67) is amended to
2 read as follows:

1 2. Definitions.

2 As used in this act:

3 “Approved school” shall mean a school approved and authorized
4 by the Police Training Commission to give police training course
5 as prescribed in this act.

6 “Commission” shall mean the Police Training Commission or
7 officers or employees thereof acting on its behalf.

8 “County” shall mean any county which within its jurisdiction
9 has or shall have a law enforcement unit as defined in this act.

10 “Law enforcement unit” shall mean any police force or orga-
11 nization in a municipality or county which has by statute or ordi-
12 nance, the responsibility of detecting crime and enforcing the gen-
13 eral criminal laws of this State.

14 “Municipality” shall mean a city of any class, township, borough,
15 village, camp meeting association, or any other type of municipality
16 in this State which, within its jurisdiction, has or shall have a law
17 enforcement unit as defined in this act.

18 “Permanent appointment” shall mean an appointment having
19 permanent status as a police officer in a law enforcement unit as
20 prescribed by Title 11, Revised Statutes, Civil Service Rules and

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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate committee amendments adopted October 22, 1984.**

****—Assembly committee amendments adopted April 15, 1985.**

21 Regulations, or of any other law of this State, municipal ordinance,
22 or rules and regulations adopted thereunder.

23 "Police officer" shall mean any employee of a law enforcement
24 unit, including sheriffs' officers *and county investigators in the*
25 *office of the county prosecutor*, other than civilian heads thereof,
26 assistant prosecutors and legal assistants, [special investigators
27 in the office of the county prosecutor as defined by statute,] persons
28 appointed pursuant to the provisions of R. S. 40:47-19, persons
29 whose duties do not include any police function, court attendants
30 and county correction officers.

1 2. Section 5 of P. L. 1961, c. 56 (C. 52:17B-70) is amended to
2 read as follows:

3 5. Police Training Commission; establishment; membership.

4 There is hereby established in *the Division of Criminal Justice*
5 *in the Department of Law and Public Safety* a Police Training
6 Commission whose membership shall consist of the following
7 persons:

8 a. Two citizens of this State who shall be appointed by the Gov-
9 ernor with the advice and consent of the Senate for terms of three
10 years commencing with the expiration of the terms of the citizen
11 members, other than the representative of the New Jersey Office
12 of the federal Bureau of Investigation, now in office.

13 b. The president or other representative designated in accor-
14 dance with the bylaws of each of the following organizations: the
15 New Jersey State Association of Chiefs of Police; the New Jersey
16 State Patrolmen's Benevolent Association, Inc.; the New Jersey
17 State League of Municipalities; [and] the New Jersey State Lodge,
18 Fraternal Order of Police, *the County Prosecutors' Association of*
19 *New Jersey and the Sheriffs' Association of New Jersey*.

20 c. The Attorney General, the Superintendent of State Police, the
21 Commissioner of Education, the Chancellor of Higher Education,
22 ex officio, or when so designated by them, their deputies.

23 d. The Special Agent in Charge of the State of New Jersey for
24 the federal Bureau of Investigation or his designated represen-
25 tative.

1 3. Section 6 of P. L. 1961, c. 56 (C. 52:17B-71) is amended to
2 read as follows:

3 6. The commission is vested with the power, responsibility and
4 duty:

5 a. To prescribe standards for the approval and continuation of
6 approval of schools at which police training courses authorized by
7 this act and in-service police training course shall be conducted,

- 8 including but not limited to present existing regional, county, mu-
 9 nicipal and police chiefs association police training schools;
- 10 b. To approve and issue certificates of approval to such schools,
 11 to inspect such schools from time to time, and to revoke any ap-
 12 proval or certificate issued to such school;
- 13 c. To prescribe the curriculum, the minimum courses of study,
 14 attendance requirements, equipment and facilities, and standards
 15 of operation for such schools**~~], and]~~** *. *Courses of study in*
 16 *crime prevention may be recommended to the Police Training Com-*
 16A *mission by the Crime Prevention Advisory Committee, established*
 16B *by section 2 of P. L. 1985, c. 1 (C. 52:17B-77.1). The Police Train-*
 16C *ing Commission*** may prescribe psychological and psychiatric
 16D examinations for police recruits while in such schools;
- 17 d. To prescribe minimum qualifications for instructors at such
 18 schools and to certify, as qualified, instructors for approved police
 19 training schools and to issue appropriate certificates to such in-
 20 structors;
- 21 e. To certify police officers who have satisfactorily completed
 22 training programs and to issue appropriate certificates to such
 23 police officers;
- 24 f. ~~]~~To appoint an executive secretary, to serve at its pleasure,
 25 who shall perform general administrative functions, and to fix his
 26 compensation;~~]~~ ~~*(Deleted by amendment P. L., c.)]*~~
 26A ~~*To advise and consent in the appointment of an **[executive sec-~~
 26B ~~retary]** **administrator of police services** by the Attorney~~
 26C ~~General pursuant to section 8 of P. L. 1961, c. 56 (C. 52:17B-73);*~~
- 27 g. ~~]~~To employ such other persons as may be necessary to carry
 28 out the provisions of this act, and to fix their compensation;~~]~~
 29 ~~(Deleted by amendment P. L., c.)~~
- 30 h. To make such rules and regulations as may be reasonably
 31 necessary or appropriate to accomplish the purposes and objectives
 32 of this act;
- 33 i. To make a continuous study of police training methods and to
 34 consult and accept the cooperation of any recognized federal or
 35 State law enforcement agency or educational institution;
- 36 j. To consult and cooperate with universities, colleges and in-
 37 stitutes in the State for the development of specialized courses of
 38 study for police officers in police science and police administration;
- 39 k. To consult and cooperate with other departments and agencies
 40 of the State concerned with police training;
- 41 l. To participate in unified programs and projects relating to
 42 police training sponsored by any federal, state, or other public or
 43 private agency;

44 m. To perform such other acts as may be necessary or appro-
45 priate to carry out its functions and duties as set forth in this act;

46 n. To extend the time limit for satisfactory completion of police
47 training programs upon a finding that health, extraordinary work-
48 load or other factors have, singly or in combination, effected a
49 delay in the satisfactory completion of such training programs;

50 o. To furnish approved schools, for inclusion in their regular
51 police training courses and curriculum with information concern-
52 ing the advisability of high speed chases, the risk caused thereby,
53 and the benefits resulting therefrom.

1 4. Section 8 of P. L. 1961, c. 56 (C. 52:17B-73) is amended to
2 read as follows:

3 8. Organization of commission; quorum. The Attorney General
4 shall be the chairman of the commission. *The Attorney General*
5 **is empowered to appoint an **[executive secretary]** **adminis-*
6 *trator of police services** to the commission after obtaining the*
7 *advice and consent of the commission and* may employ other per-*
8 *sons as may be necessary to carry out the provisions of this act,*
9 *and to fix their compensation *and the compensation of the **[ex-*
10 *ecutive secretary*]** **administrator of police services** within*
11 *the limits of available appropriations.* The commission, at its ini-
12 tial organization meeting to be held promptly after the appointment
13 and qualification of its members, and thereafter at each annual
14 organization meeting to be held on the first Monday in February,
15 shall select a vice-chairman from among its members, and shall
16 meet at such other times within the State of New Jersey as it may
17 determine. A majority of the commission shall constitute a quorum
18 for the transaction of any business, the performance of any duty,
19 or for the exercise of any of its powers.

1 *5. (New section) *The transfer of personnel and responsibilities*
2 *to the Division of Criminal Justice directed by this act shall be*
3 *made in accordance with the "State Agency Transfer Act," P. L.*
4 *1971, c. 375 (C. 52:14D-1 et seq.). Nothing in this act shall be*
5 *construed to deprive any employee transferred to the Division*
6 *of Criminal Justice under this act of any rights or protections*
7 *provided him by the civil service, pension, or retirement laws of*
8 *this State prior to his transfer.**

1 ***[5.]*** *6.* This act shall take effect immediately.

51 police training courses and curriculum with information concern-
 52 ing the advisability of high speed chases, the risk caused thereby,
 53 and the benefits resulting therefrom.

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 2 read as follows:

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 4 shall be the chairman of the commission. *The Attorney General*
 5 *may employ other persons as may be necessary to carry out the*
 6 *provisions of this act, and to fix their compensation within the*
 7 *limits of available appropriations.* The commission, at its initial
 8 organization meeting to be held promptly after the appointment
 9 and qualification of its members, and thereafter at each annual
 10 organization meeting to be held on the first Monday in February,
 11 shall select a vice-chairman from among its members, and shall
 12 meet at such other times within the State of New Jersey as it may
 13 determine. A majority of the commission shall constitute a quorum
 14 for the transaction of any business, the performance of any duty,
 15 or for the exercise of any of its powers.

1 5. This act shall take effect immediately.

STATEMENT

This bill makes several changes in the law concerning police training. In section 1, special investigators of the county prosecutor have been deleted from the exceptions to the definition of police officer. The effect of this amendment will be that special investigators will undergo training pursuant to the law concerning police training. Specifically, they will receive the same training that county detectives currently receive under the law. The job duties and responsibilities of a county detective and special investigator of the prosecutor are virtually identical. It is intended that training be required only for special investigators appointed to the position after the effective date of this act.

Section 2 amends the membership of the Police Training Commission to add the President of the County Prosecutors' Association of New Jersey or his designated representative and the President of the Sheriffs' Association of New Jersey or his designated representative. This amendment is made in recognition of the interest which county prosecutors and sheriffs have in law enforcement.

In view of the fact that the staff of the Police Training Commission are employees of the Department of Law and Public Safety

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which is headed by the Attorney General, this bill recognizes the Attorney General's authority to employ persons as may be necessary to carry out the provisions of the law concerning police training within the limits of available appropriations. This change along with allocation of the commission to the Division of Criminal Justice will enable the Attorney General to consolidate manpower in this time of fiscal constraints.

ASSEMBLY LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
SENATE, No. 1764

[OFFICIAL COPY REPRINT]
with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 27, 1985

Senate Bill No. 1764 includes county investigators in the office of the county prosecutor in the definition of "police officer." The effect of this amendment is that county investigators will receive the same training that county detectives now receive under the law. The duties and responsibilities of a county detective and a county investigator are virtually identical. The bill is intended to require training only of county investigators appointed after the date on which this bill takes effect.

The bill also adds the President of the County Prosecutors' Association of New Jersey or his designated representative and the President of the Sheriffs' Association of New Jersey or his designated representative to the membership of the Police Training Commission.

Finally, the bill empowers the Attorney General to appoint an administrator of police services with the advice and consent of the Police Training Commission and to employ other persons to carry out the provisions of law concerning police training. The bill also allocates the Police Training Commission to the Division of Criminal Justice within the Department of Law and Public Safety while ensuring that the civil service status and other rights of the existing employees of the commission are not affected by the transfer.

The Assembly Law, Public Safety and Defense Committee amended the bill to change the title of the executive secretary of the Police Training Commission to administrator of police services. Additional amendments conform the bill to current law.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

SENATE, No. 1764

with Senate committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 22, 1984

Senate Bill No. 1764, as amended by the Senate Law, Public Safety and Defense Committee, makes several changes in the law concerning the training of police officers and the Police Training Commission.

The bill includes county investigators in the office of the county prosecutor in the definition of "police officer." The effect of this amendment is that county investigators will receive the same training that county detectives now receive under the law. The duties and responsibilities of a county detective and a county investigator are virtually identical. The bill is intended to require training only of county investigators appointed after the date on which this bill takes effect.

The bill also adds the President of the County Prosecutor's Association of New Jersey or his designated representative and the President of the Sheriffs' Association of New Jersey or his designated representative to the membership of the Police Training Commission.

Finally, the bill removes the Police Training Commission's power to appoint an executive secretary and to employ other persons to carry out the provisions of law concerning police training and, instead, gives the power to employ persons and fix their compensation within the limits of available appropriations to the Attorney General. The committee amended the bill to require the Attorney General to obtain the advice and consent of the Police Training Commission before appointing an executive secretary. The bill also allocates the Police Training Commission to the Division of Criminal Justice within the Department of Law and Public Safety. According to the sponsor's statement, these changes are intended to allow the Attorney General to consolidate manpower in a time of fiscal restraint.

The committee also amended the bill to ensure that the civil service status and other rights of existing employees of the Police Training Commission are not affected by the transfer of these employees to the Division of Criminal Justice.

S-1764, sponsored by Senator John Russo, D-Ocean, which places the Police Training Commission within the Department of Law and Public Safety, includes special investigators in county prosecutors' offices within the training provisions, and adds the President of the County Prosecutors' Association and the President of the Sheriffs' Association of New Jersey to the Commission membership.

S-2519, sponsored by Senator Frank Graves, D-Passaic, to enable a processor of goods to assert a lien over goods in his possession on the basis of prior indebtedness or of credit issued to the owner of the goods.

S-2907, sponsored by Senator Edward O'Connor, D-Hudson, to establish the Vietnam Veterans' Memorial Committee of 14 members to select a design and a site for a memorial in honor of Vietnam veterans.

S-3150, sponsored by Senator John Russo, D-Ocean, to require that any out of state veterinarian to be eligible for licensing in New Jersey under a reciprocity agreement to have practiced clinical veterinary medicine for three consecutive years prior to application for the license.

S-3330, sponsored by Senator Wynona Lipman, D-Essex, to extend to January 1, 1988, the authority of the City of Newark to impose a payroll and parking tax and for Jersey City to impose a parking tax.

S-3424, sponsored by Senator Paul Contillo, D-Bergen, to appropriate \$15,000 to the Department of Environmental Protection to reimburse the Borough of Maywood for expenses incurred in employing an environmental health physicist to aid in resolving a thorium contamination problem.

S-3438, sponsored by Senator Carmen Orechio, D-Essex, to transfer certain responsibilities from the legislative counsel in the Office of Legislative Services to the New Jersey Law Revision Commission.