

52:9DD-1 to 13

**LEGISLATIVE HISTORY CHECKLIST**  
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(New Jersey Human Relations Council--established)

**NJSA:** 52:9DD-1 to 13

**LAWS OF:** 1997 **CHAPTER:** 257

**BILL NO:** A691

**SPONSOR(S):** Zisa and others

**DATE INTRODUCED:** Pre-filed

**COMMITTEE:** **ASSEMBLY:** Community Services

**SENATE:** ---

**AMENDED DURING PASSAGE:** Yes Amendments during passage denoted  
Third reprint (CC) enacted by superscript numbers

**DATE OF PASSAGE:** **ASSEMBLY:** June 27, 1996

**SENATE:** June 26, 1997

**DATE OF APPROVAL:** September 23, 1997

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes Also, statments to floor  
amendments dated 6-24-96  
& 3-10-97

**SENATE:** No

**FISCAL NOTE:** Yes

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** Yes

Report:

974.90 New Jersey. Commission on Racism, Racial Violence and Religious  
C929 Violence.

1993c Report...December 22, 1993. Trenton, 1993.

[see pp. 39-41 & 69-75 -- attached]

**HEARINGS:** No

Hearing mentioned in report -- not transcribed.

KBP:pp

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P.L. 1997, CHAPTER 257, *approved September 23, 1997*  
Assembly, No. 691 (*Third Reprint*)  
(CORRECTED COPY)

1 AN ACT creating the New Jersey Human Relations Council and  
2 supplementing chapter 9DD of Title 52 of the <sup>2</sup>[New Jersey]  
3 Revised<sup>2</sup> Statutes and making an appropriation.  
4

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

8 1. a. There is hereby created the New Jersey Human Relations  
9 Council, referred to hereinafter as the council, which shall <sup>3</sup>promote  
10 prejudice reduction education and<sup>3</sup> address the problem of bias and  
11 violent acts based on the victim's race, color <sup>3</sup>,<sup>3</sup> religion, <sup>3</sup> national  
12 origin,<sup>3</sup> ethnicity, sexual orientation, gender or disability. The council  
13 shall be a permanent, independent body in but not of the Department  
14 of Law and Public Safety.

15 b. The council shall consist of an executive committee which shall  
16 include ten public members who shall be representative of the various  
17 ethnic; religious; <sup>3</sup>national origin;<sup>3</sup> racial; sexual orientation; gender;  
18 and disabilities organizations in this State, of whom four shall be  
19 appointed by the Governor, no more than two of whom shall be of the  
20 same political party; three shall be appointed by the President of the  
21 Senate, no more than two of whom shall be of the same political party;  
22 and three shall be appointed by the Speaker of the General Assembly,  
23 no more than two of whom shall be of the same political party; two  
24 members of the Senate appointed by the President of the Senate, no  
25 more than one of whom shall be of the same political party; two  
26 members of the General Assembly appointed by the Speaker of the  
27 General Assembly, no more than one of whom shall be of the same

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly ACO committee amendments adopted June 3, 1996.

<sup>2</sup> Assembly floor amendments adopted June 24, 1996.

<sup>3</sup> Senate floor amendments adopted March 10, 1997.

1 political party; <sup>1</sup>[two] <sup>3</sup>[three<sup>1</sup>] seven<sup>3</sup> representatives from county  
2 human relations commissions representing <sup>1</sup>[two] <sup>3</sup>[three<sup>1</sup>] different  
3 regions] the diversity of all county human relations commissions from  
4 the 21 counties<sup>3</sup> of the State appointed by the Governor; and the  
5 following ex officio members: the Attorney General of the State of  
6 New Jersey; Commissioner of the Department of Education; the  
7 Commissioner of the Department of Community Affairs; the  
8 Commissioner of the Department of Corrections; the Commissioner of  
9 the Department of Human Services; the Public Defender; the Director  
10 of the Administrative <sup>3</sup>[Offices] Office<sup>3</sup> of the Courts; the Director  
11 of the Division of Criminal Justice; the Superintendent of the Division  
12 of State Police; the Director of the Division on Civil Rights; the  
13 President of the County Prosecutors Association of New Jersey; <sup>3</sup>the  
14 <sup>3</sup> President of the New Jersey State Association of Chiefs of Police;  
15 the President of the Bias Crime Officers Association of New Jersey; a  
16 county Superintendent of Schools selected by the Commissioner of the  
17 Department of Education; the President of the New Jersey Principals  
18 and Supervisors Association; and the President of the New Jersey  
19 Education Association.

20 c. Of the public members first appointed to the council, six shall be  
21 appointed for a term of three years, two shall be appointed for terms  
22 of two years and two shall be appointed for a term of one year. The  
23 <sup>1</sup>[two] <sup>3</sup>[three<sup>1</sup>] seven<sup>3</sup> county human relations commissions  
24 representatives shall be appointed for terms of two years. The  
25 legislative members appointed initially under this act shall serve until  
26 the end of the legislative session in which the appointment is made.  
27 Thereafter, the legislative members shall be appointed for two year  
28 terms to coincide with the two year legislative term in which they  
29 serve on the council. Thereafter, the public members shall be  
30 appointed for terms of three years. Vacancies on the council shall be  
31 filled in the same manner as the original appointment but for the  
32 unexpired term. A chairperson shall be selected from among the  
33 public members of the council. The council shall have the authority  
34 to establish subcommittees as it deems appropriate and pursuant to  
35 this act. <sup>3</sup>The public members of the council shall adopt bylaws to  
36 govern the council and elect officers from among the public members  
37 as it deems appropriate and pursuant to this act.<sup>3</sup>

38 d. Each ex officio member may designate <sup>1</sup>[an employee of ] a  
39 person from<sup>1</sup> the member's department or agency to represent the  
40 member at hearings of the council. All designees may lawfully vote  
41 and otherwise act on behalf of the member for whom they constitute  
42 the designee.

43

44 2. It shall be the duty of the council:

45 a. to develop policy proposals for the State and assist with  
46 coordinating efforts to <sup>3</sup> promote prejudice reduction and<sup>3</sup> prevent

- 1 and deter crimes based upon the victim's race <sup>3</sup>[;], <sup>3</sup> color <sup>3</sup>[;],<sup>3</sup>  
2 religion <sup>3</sup>[;] , national origin,<sup>3</sup> sexual orientation <sup>3</sup>[;], <sup>3</sup>ethnicity  
3 <sup>3</sup>[;],<sup>3</sup> gender <sup>3</sup>[;],<sup>3</sup> or physical, mental or cognitive disability;
- 4 b. to assist in diffusing tensions in communities affected by such  
5 crimes;
- 6 c. to act as a clearinghouse for information and program ideas  
7 among the existing county human relations commissions;
- 8 d. to assist the efforts of the county human relations commissions  
9 in relieving tensions within the community;
- 10 e. to assist in providing training programs for members of the  
11 county human relations commissions and other interested community  
12 leaders;
- 13 f. to develop and present a biennial report to the Governor and  
14 Legislature on the status of bias and violence based upon race <sup>3</sup>[;], <sup>3</sup>  
15 color <sup>3</sup>[;],<sup>3</sup> religion <sup>3</sup>[;] , national origin,<sup>3</sup> sexual orientation <sup>3</sup>[;],<sup>3</sup>  
16 ethnicity <sup>3</sup>[;],<sup>3</sup> gender <sup>3</sup>[;],<sup>3</sup> or physical, mental or cognitive  
17 disability;
- 18 g. to establish and maintain a listing of conflict resolution programs  
19 and experts to be available as a resource for communities in time of  
20 crisis;
- 21 h. to develop in conjunction with law enforcement agencies,  
22 including the Office of Bias Crimes and Community Relations in the  
23 Division of Criminal Justice, and the educational community cultural  
24 diversity training for law enforcement personnel;
- 25 i. <sup>3</sup> to develop in conjunction with the Department of Education and  
26 the educational, civil rights and human relations communities  
27 educational programs intended to educate, encourage, develop,  
28 promote and strengthen respect for human rights and cultural diversity  
29 and prevent and combat racism, intolerance and bigotry;
- 30 j.<sup>3</sup> to assist local communities in establishing local human  
31 <sup>1</sup>[resources] <sup>1</sup>relations<sup>1</sup> commissions;
- 32 <sup>3</sup>[j.] <sup>3</sup>k.<sup>3</sup> to assess changes in local demographics and assist  
33 communities in adapting to minority population shifts;
- 34 <sup>3</sup>[k.] <sup>3</sup>l.<sup>3</sup> to assist State, county and local government agencies with  
35 multi-cultural awareness programs; <sup>3</sup>[and
- 36 l.] <sup>3</sup>m.<sup>3</sup> to require that the <sup>3</sup>[two]<sup>3</sup> representatives from the county  
37 human relations commissions report back to the counties <sup>3</sup>[in each  
38 region]<sup>3</sup> regarding the work and activities of the State council <sup>3</sup>;
- 39 n. to provide conciliation assistance and conduct all activities in  
40 confidence and without publicity; and
- 41 o. to make recommendations to governmental entities for the  
42 development of policies and procedures in general and for programs  
43 of formal and informal education that will aid in eliminating all types  
44 of discrimination based on race, color, religion, national origin, sexual  
45 orientation, ethnicity, gender, or physical, mental or cognitive  
46 disability<sup>3</sup> .

1 <sup>3</sup>3. The council shall hold confidential any information acquired  
2 during the course of mediation or dispute resolution.<sup>3</sup>

3  
4 <sup>3</sup>[~~3.~~] 4.<sup>3</sup> The council shall have the following powers:

- 5 a. to conduct public hearings throughout the State;
- 6 b. to establish subcommittees;
- 7 c. to perform fact finding functions and prepare reports on
- 8 particular issues regarding racial; color; religious; sexual orientation;
- 9 ethnicity; gender; or physical, mental or cognitive disability; and
- 10 d. to call to its assistance and avail itself of the services of any
- 11 official of this State and its political subdivisions and their
- 12 departments, boards, bureaus, commissions and agencies as it may
- 13 require and may expend any funds appropriated or otherwise made
- 14 available to it.

15  
16 <sup>3</sup>[~~4.~~] 5.<sup>3</sup> The council shall meet <sup>3</sup>at least quarterly<sup>3</sup> and hold

17 hearings at such place or places it shall deem necessary.

18  
19 <sup>3</sup>[~~5.~~ The Division of Criminal Justice in the Department of Law and

20 Public Safety shall assist the council in the performance of its duties.]<sup>3</sup>

21  
22 6. The Legislature shall annually appropriate such sums as are

23 necessary to effectuate the purposes of this act.

24  
25 7. This act shall take effect immediately.

26

27

28

29

30 \_\_\_\_\_

31 Creates New Jersey Human Relations Council to address problems of  
bias and violent acts.

ASSEMBLY, No. 691

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman ZISA and Assemblywoman WEINBERG

1 AN ACT creating the New Jersey Human Relations Council and  
2 supplementing chapter 9DD of Title 52 of the New Jersey Statutes  
3 and making an appropriation.  
4

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

8 1. a. There is hereby created the New Jersey Human Relations  
9 Council, referred to hereinafter as the council, which shall address the  
10 problem of bias and violent acts based on the victim's race, color  
11 religion, ethnicity, sexual orientation, gender or disability. The council  
12 shall be a permanent, independent body in but not of the Department  
13 of Law and Public Safety.

14 b. The council shall consist of an executive committee which shall  
15 include ten public members who shall be representative of the various  
16 ethnic; religious; racial; sexual orientation; gender; and disabilities  
17 organizations in this State, of whom four shall be appointed by the  
18 Governor, no more than two of whom shall be of the same political  
19 party; three shall be appointed by the President of the Senate, no more  
20 than two of whom shall be of the same political party; and three shall  
21 be appointed by the Speaker of the General Assembly, no more than  
22 two of whom shall be of the same political party; two members of the  
23 Senate appointed by the President of the Senate, no more than one of  
24 whom shall be of the same political party; two members of the  
25 General Assembly appointed by the Speaker of the General Assembly,  
26 no more than one of whom shall be of the same political party; two  
27 representatives from county human relations commissions representing  
28 two different regions of the State appointed by the Governor; and the  
29 following ex officio members: the Attorney General of the State of  
30 New Jersey; Commissioner of the Department of Education; the  
31 Commissioner of the Department of Community Affairs; the  
32 Commissioner of the Department of Corrections; the Commissioner of  
33 the Department of Human Services; the Public Defender; the Director  
34 of the Administrative Offices of the Courts; the Director of the  
35 Division of Criminal Justice; the Superintendent of the Division of

1 State Police; the Director of the Division on Civil Rights; the President  
2 of the County Prosecutors Association of New Jersey; President of the  
3 New Jersey State Association of Chiefs of Police; the President of the  
4 Bias Crime Officers Association of New Jersey; a county  
5 Superintendent of Schools selected by the Commissioner of the  
6 Department of Education; the President of the New Jersey Principals  
7 and Supervisors Association; and the President of the New Jersey  
8 Education Association.

9 c. Of the public members first appointed to the council, six shall be  
10 appointed for a term of three years, two shall be appointed for terms  
11 of two years and two shall be appointed for a term of one year. The  
12 two county human relations commissions representatives shall be  
13 appointed for terms of two years. The legislative members appointed  
14 initially under this act shall serve until the end of the legislative session  
15 in which the appointment is made. Thereafter, the legislative members  
16 shall be appointed for two year terms to coincide with the two year  
17 legislative term in which they serve on the council. Thereafter, the  
18 public members shall be appointed for terms of three years. Vacancies  
19 on the council shall be filled in the same manner as the original  
20 appointment but for the unexpired term. A chairperson shall be  
21 selected from among the public members of the council. The council  
22 shall have the authority to establish subcommittees as it deems  
23 appropriate and pursuant to this act.

24 d. Each ex officio member may designate an employee of the  
25 member's department or agency to represent the member at hearings  
26 of the council. All designees may lawfully vote and otherwise act on  
27 behalf of the member for whom they constitute the designee.

28

29 2. It shall be the duty of the council:

30 a. to develop policy proposals for the State and assist with  
31 coordinating efforts to prevent and deter crimes based upon the  
32 victim's race; color; religion; sexual orientation; ethnicity; gender; or  
33 physical, mental or cognitive disability;

34 b. to assist in diffusing tensions in communities affected by such  
35 crimes;

36 c. to act as a clearinghouse for information and program ideas  
37 among the existing county human relations commissions;

38 d. to assist the efforts of the county human relations commissions  
39 in relieving tensions within the community;

40 e. to assist in providing training programs for members of the  
41 county human relations commissions and other interested community  
42 leaders;

43 f. to develop and present a biennial report to the Governor and  
44 Legislature on the status of bias and violence based upon race; color;  
45 religion; sexual orientation; ethnicity; gender; or physical, mental or  
46 cognitive disability;

1 g. to establish and maintain a listing of conflict resolution programs  
2 and experts to be available as a resource for communities in time of  
3 crisis;

4 h. to develop in conjunction with law enforcement agencies,  
5 including the Office of Bias Crimes and Community Relations in the  
6 Division of Criminal Justice, and the educational community cultural  
7 diversity training for law enforcement personnel;

8 i. to assist local communities in establishing local human resources  
9 commissions;

10 j. to assess changes in local demographics and assist communities  
11 in adapting to minority population shifts;

12 k. to assist State, county and local government agencies with  
13 multi-cultural awareness programs; and

14 l. to require that the two representatives from the county human  
15 relations commissions report back to the counties in each region  
16 regarding the work and activities of the State council.

17

18 3. The council shall have the following powers:

19 a. to conduct public hearings throughout the State;

20 b. to establish subcommittees;

21 c. to perform fact finding functions and prepare reports on  
22 particular issues regarding racial; color; religious; sexual orientation;  
23 ethnicity; gender; or physical, mental or cognitive disability; and

24 d. to call to its assistance and avail itself of the services of any  
25 official of this State and its political subdivisions and their  
26 departments, boards, bureaus, commissions and agencies as it may  
27 require and may expend any funds appropriated or otherwise made  
28 available to it.

29

30 4. The council shall meet and hold hearings at such place or places  
31 it shall deem necessary.

32

33 5. The Division of Criminal Justice in the Department of Law and  
34 Public Safety shall assist the council in the performance of its duties.

35

36 6. The Legislature shall annually appropriate such sums as are  
37 necessary to effectuate the purposes of this act.

38

39 7. This act shall take effect immediately.

40

41

42 *SPONSORS'* STATEMENT

43

44 This bill would create the New Jersey Human Relations Council,  
45 (the council), based upon the recommendations contained in the  
46 Report of the Commission on Racism, Racial Violence and Religious



1 Violence. The council shall perform numerous planning and  
2 coordinating functions including developing proposals for the State to  
3 combat crime based on race, color, religion, sexual orientation,  
4 ethnicity, gender, or physical, mental or cognitive disability. The  
5 council shall further offer assistance and training to county level  
6 human relations commissions and assist the Office of Bias Crimes and  
7 Community Relations in its efforts to foster better community relations  
8 throughout the State.

9 The council shall consist of ten public members, four legislative  
10 members, two county representatives and 16 ex officio members.

11 The two representatives from the county human relations  
12 commissions shall report back to the various counties on the work of  
13 the State council. The county representatives shall be appointed for  
14 two year terms by the Governor. The legislative members are given  
15 two year terms coincident with the two year legislative session in  
16 which the appointment is made.

17

18

19

20

21 \_\_\_\_\_  
22 Creates New Jersey Human Relations Council to address problems of  
bias and violent acts.

[Passed Both Houses]

[Corrected Copy]

[Third Reprint]

ASSEMBLY, No. 691

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# STATE OF NEW JERSEY

---

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman ZISA, Assemblywoman WEINBERG,  
Assemblyman Dalton, Senators Sinagra and Baer

1 AN ACT creating the New Jersey Human Relations Council and  
2 supplementing chapter 9DD of Title 52 of the <sup>2</sup>[New Jersey]  
3 Revised<sup>2</sup> Statutes and making an appropriation.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
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8 1. a. There is hereby created the New Jersey Human Relations  
9 Council, referred to hereinafter as the council, which shall <sup>3</sup>promote  
10 prejudice reduction education and<sup>3</sup> address the problem of bias and  
11 violent acts based on the victim's race, color <sup>3,3</sup> religion, <sup>3</sup> national  
12 origin,<sup>3</sup> ethnicity, sexual orientation, gender or disability. The council  
13 shall be a permanent, independent body in but not of the Department  
14 of Law and Public Safety.

15 b. The council shall consist of an executive committee which shall  
16 include ten public members who shall be representative of the various  
17 ethnic; religious; <sup>3</sup>national origin;<sup>3</sup> racial; sexual orientation; gender;  
18 and disabilities organizations in this State, of whom four shall be  
19 appointed by the Governor, no more than two of whom shall be of the  
20 same political party; three shall be appointed by the President of the  
21 Senate, no more than two of whom shall be of the same political party;  
22 and three shall be appointed by the Speaker of the General Assembly,  
23 no more than two of whom shall be of the same political party; two

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly ACO committee amendments adopted June 3, 1996.

<sup>2</sup> Assembly floor amendments adopted June 24, 1996.

<sup>3</sup> Senate floor amendments adopted March 10, 1997.

1 members of the Senate appointed by the President of the Senate, no  
2 more than one of whom shall be of the same political party; two  
3 members of the General Assembly appointed by the Speaker of the  
4 General Assembly, no more than one of whom shall be of the same  
5 political party; <sup>1</sup>[two] <sup>3</sup>[three<sup>1</sup>] seven<sup>3</sup> representatives from county  
6 human relations commissions representing <sup>1</sup>[two] <sup>3</sup>[three<sup>1</sup>] different  
7 regions] the diversity of all county human relations commissions from  
8 the 21 counties<sup>3</sup> of the State appointed by the Governor; and the  
9 following ex officio members: the Attorney General of the State of  
10 New Jersey; Commissioner of the Department of Education; the  
11 Commissioner of the Department of Community Affairs; the  
12 Commissioner of the Department of Corrections; the Commissioner of  
13 the Department of Human Services; the Public Defender; the Director  
14 of the Administrative <sup>3</sup>[Offices] Office<sup>3</sup> of the Courts; the Director  
15 of the Division of Criminal Justice; the Superintendent of the Division  
16 of State Police; the Director of the Division on Civil Rights; the  
17 President of the County Prosecutors Association of New Jersey; <sup>3</sup> the  
18 <sup>3</sup> President of the New Jersey State Association of Chiefs of Police;  
19 the President of the Bias Crime Officers Association of New Jersey; a  
20 county Superintendent of Schools selected by the Commissioner of the  
21 Department of Education; the President of the New Jersey Principals  
22 and Supervisors Association; and the President of the New Jersey  
23 Education Association.

24 c. Of the public members first appointed to the council, six shall be  
25 appointed for a term of three years, two shall be appointed for terms  
26 of two years and two shall be appointed for a term of one year. The  
27 <sup>1</sup>[two] <sup>3</sup>[three<sup>1</sup>] seven<sup>3</sup> county human relations commissions  
28 representatives shall be appointed for terms of two years. The  
29 legislative members appointed initially under this act shall serve until  
30 the end of the legislative session in which the appointment is made.  
31 Thereafter, the legislative members shall be appointed for two year  
32 terms to coincide with the two year legislative term in which they  
33 serve on the council. Thereafter, the public members shall be  
34 appointed for terms of three years. Vacancies on the council shall be  
35 filled in the same manner as the original appointment but for the  
36 unexpired term. A chairperson shall be selected from among the  
37 public members of the council. The council shall have the authority  
38 to establish subcommittees as it deems appropriate and pursuant to  
39 this act. <sup>3</sup>The public members of the council shall adopt bylaws to  
40 govern the council and elect officers from among the public members  
41 as it deems appropriate and pursuant to this act.<sup>3</sup>

42 d. Each ex officio member may designate <sup>1</sup>[an employee of ] a  
43 person from<sup>1</sup> the member's department or agency to represent the  
44 member at hearings of the council. All designees may lawfully vote  
45 and otherwise act on behalf of the member for whom they constitute  
46 the designee.

- 1       2. It shall be the duty of the council:
- 2       a. to develop policy proposals for the State and assist with
- 3 coordinating efforts to <sup>3</sup> promote prejudice reduction and<sup>3</sup> prevent
- 4 and deter crimes based upon the victim's race <sup>3</sup>[;]. <sup>3</sup> color <sup>3</sup>[;].<sup>3</sup>
- 5 religion <sup>3</sup>[;] .national origin.<sup>3</sup> sexual orientation <sup>3</sup>[;]. <sup>3</sup> ethnicity
- 6 <sup>3</sup>[;].<sup>3</sup> gender <sup>3</sup>[;].<sup>3</sup> or physical, mental or cognitive disability;
- 7       b. to assist in diffusing tensions in communities affected by such
- 8 crimes;
- 9       c. to act as a clearinghouse for information and program ideas
- 10 among the existing county human relations commissions;
- 11       d. to assist the efforts of the county human relations commissions
- 12 in relieving tensions within the community;
- 13       e. to assist in providing training programs for members of the
- 14 county human relations commissions and other interested community
- 15 leaders;
- 16       f. to develop and present a biennial report to the Governor and
- 17 Legislature on the status of bias and violence based upon race <sup>3</sup>[;]. <sup>3</sup>
- 18 color <sup>3</sup>[;].<sup>3</sup> religion <sup>3</sup>[;] .national origin.<sup>3</sup> sexual orientation
- 19 <sup>3</sup>[;].<sup>3</sup> ethnicity <sup>3</sup>[;]. <sup>3</sup> gender <sup>3</sup>[;].<sup>3</sup> or physical, mental or
- 20 cognitive disability;
- 21       g. to establish and maintain a listing of conflict resolution programs
- 22 and experts to be available as a resource for communities in time of
- 23 crisis;
- 24       h. to develop in conjunction with law enforcement agencies,
- 25 including the Office of Bias Crimes and Community Relations in the
- 26 Division of Criminal Justice, and the educational community cultural
- 27 diversity training for law enforcement personnel;
- 28       i. <sup>3</sup> to develop in conjunction with the Department of Education and
- 29 the educational, civil rights and human relations communities
- 30 educational programs intended to educate, encourage, develop,
- 31 promote and strengthen respect for human rights and cultural diversity
- 32 and prevent and combat racism, intolerance and bigotry;
- 33       j.<sup>3</sup> to assist local communities in establishing local human
- 34 <sup>1</sup>[resources] relations<sup>1</sup> commissions;
- 35       <sup>3</sup>[j.] <sup>3</sup> k.<sup>3</sup> to assess changes in local demographics and assist
- 36 communities in adapting to minority population shifts;
- 37       <sup>3</sup>[k.] <sup>3</sup> l.<sup>3</sup> to assist State, county and local government agencies
- 38 with multi-cultural awareness programs; <sup>3</sup>[and
- 39       l.] <sup>3</sup> m.<sup>3</sup> to require that the <sup>3</sup>[two]<sup>3</sup> representatives from the county
- 40 human relations commissions report back to the counties <sup>3</sup>[in each
- 41 region]<sup>3</sup> regarding the work and activities of the State council <sup>3</sup>;
- 42       n. to provide conciliation assistance and conduct all activities in
- 43 confidence and without publicity; and
- 44       o. to make recommendations to governmental entities for the
- 45 development of policies and procedures in general and for programs

1 of formal and informal education that will aid in eliminating all types  
2 of discrimination based on race, color, religion, national origin, sexual  
3 orientation, ethnicity, gender, or physical, mental or cognitive  
4 disability<sup>3</sup> .

5  
6 <sup>3</sup>3. The council shall hold confidential any information acquired  
7 during the course of mediation or dispute resolution.<sup>3</sup>

8  
9 <sup>3</sup>[3.] 4.<sup>3</sup> The council shall have the following powers:

- 10 a. to conduct public hearings throughout the State;
- 11 b. to establish subcommittees;
- 12 c. to perform fact finding functions and prepare reports on
- 13 particular issues regarding racial; color; religious; sexual orientation;
- 14 ethnicity; gender; or physical, mental or cognitive disability; and
- 15 d. to call to its assistance and avail itself of the services of any
- 16 official of this State and its political subdivisions and their
- 17 departments, boards, bureaus, commissions and agencies as it may
- 18 require and may expend any funds appropriated or otherwise made
- 19 available to it.

20  
21 <sup>3</sup>[4.] 5.<sup>3</sup> The council shall meet <sup>3</sup>at least quarterly<sup>3</sup> and hold

22 hearings at such place or places it shall deem necessary.

23  
24 <sup>3</sup>[5. The Division of Criminal Justice in the Department of Law  
25 and Public Safety shall assist the council in the performance of its  
26 duties.]<sup>3</sup>

27  
28 6. The Legislature shall annually appropriate such sums as are

29 necessary to effectuate the purposes of this act.

30  
31 7. This act shall take effect immediately.

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36 Creates New Jersey Human Relations Council to address problems of

37 bias and violent acts.

# ASSEMBLY COMMUNITY SERVICES COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 691**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 3, 1996

The Assembly Community Services Committee reports favorably Assembly Bill No. 691.

As amended by committee, this bill would create the New Jersey Human Relations Council based upon the recommendations contained in the Report of the Commission on Racism, Racial Violence and Religious Violence. The council shall perform numerous planning and coordinating functions including developing proposals for the State to combat crime based on race, color, religion, sexual orientation, ethnicity, gender, or physical, mental or cognitive disability. The council shall further offer assistance and training to county level human relations commissions and assist the Office of Bias Crimes and Community Relations in its efforts to foster better community relations throughout the State.

The council shall consist of 10 public members, four legislative members, three county representatives and 16 ex officio members.

The three representatives from the county human relations commissions shall report back to the various counties on the work of the State council. The county representatives shall be appointed for two year terms by the Governor. The legislative members are given two year terms coincident with the two year legislative session in which the appointment is made.

The amendments increase the number of county representatives from two to three and make several technical corrections to the bill.

This bill was prefiled for introduction in the 1996-1997 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

STATEMENT TO  
[First Reprint]  
**ASSEMBLY, No. 691**

with Assembly Floor Amendments  
(Proposed By Assemblyman ZISA and Assemblywoman WEINBERG)

ADOPTED: JUNE 24, 1996

These floor amendments are technical in nature and change the title of the bill.

STATEMENT TO  
[Second Reprint]  
**ASSEMBLY, No. 691**

with Senate Floor Amendments  
(Proposed By Senator SINAGRA)

ADOPTED: MARCH 10, 1997

These floor amendments increase the membership of the New Jersey Human Relations Council to 37 by adding four additional representatives from the county human relations commissions who shall represent the diversity of all county human relations commissions from the 21 counties, instead of representing three different regions of the State.

The amendments require the public members of the council to adopt by laws to govern the council and to elect an executive committee and officers from among the public members as it deems appropriate.

The amendments expand the duties of the council as follows:

- to assist with coordinating efforts to promote prejudice reduction;

- to develop in conjunction with the Department of Education and the educational, civil rights and human relations communities educational programs intended to educate, encourage, develop, promote and strengthen respect for human rights and cultural diversity and prevent and combat racism, intolerance and bigotry;

- to provide conciliation assistance and conduct all activities in confidence and without publicity; and

- to make recommendations to governmental entities for the development of policies and procedures in general and for programs of formal and informal education that will aid in eliminating all types of discrimination based on race, color, religion, national origin, sexual orientation, ethnicity, gender, or physical, mental or cognitive disability.

The amendments also require the council to hold confidential any information acquired during the course of mediation or dispute resolution.



# LEGISLATIVE FISCAL ESTIMATE TO

[Second Reprint]  
ASSEMBLY, No. 691

## STATE OF NEW JERSEY

DATED: July 15, 1996

Assembly Bill No. 691 (2R) of 1996 creates a 33-member New Jersey Human Relations Council, based upon the recommendations contained in the Report of the Commission on Racism, Racial Violence and Religious Violence. This bill directs the council to address the problem of bias and violent acts based on the victim's race, color, religion, ethnicity, sexual orientation, gender or disability. The bill would be a permanent, independent body in, but not of, the Department of Law and Public Safety.

The council would perform planning and coordinating functions, including developing proposals for the State to combat bias crimes. The bill directs the council to develop, in conjunction with law enforcement agencies, including the Office of Bias Crimes and Community Relations in the Division of Criminal Justice, educational diversity training for law enforcement personnel. The bill also requires the council to offer assistance and training to county and local human relations commissions and assist the Office of Bias Crimes and Community Relations in its efforts to foster better community relations throughout the State. The bill further requires the council to issue a biennial report to the Governor and the Legislature on the status of bias and violence based upon race, color, religion, sexual orientation, ethnicity, gender, or disability. The bill directs the Division of Criminal Justice in the Department of Law and Public Safety to assist the council.

The Department of Law and Public Safety informally estimates the cost of implementing this bill at \$128,900 during the first year following enactment. This amount includes \$72,300 for the salary and fringe benefits of one program development specialist and one principal clerk typist, \$2,300 for materials and supplies, \$1,800 for computer software program, \$4,300 for travel, telephone and postage, \$40,000 for professional consulting and educational services, and \$8,200 for the one-time purchase of equipment. After deducting one-time costs and assuming a four percent rate of inflation for salaries and operational expenses, the department estimates second and third year costs at \$121,900 and \$126,800, respectively.

The Office of Legislative Services (OLS) generally concurs with this estimate but notes that the projected \$40,000 annual expenditure for consulting services could be substantially reduced if the council taps the expertise of State and local agencies and educational institutions which have been productively working to prevent and combat bias crimes.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

Officer Louis Jordan has been one of the first law enforcement officers working in the area of gang violence based upon bias and has become one of the nation's leading experts on gangs. On the city level, Sergeant Ray Massi has been designated the Bias Incident Investigator for the City of Camden and he has been instrumental in the development of a youth task force which attempts to prevent violent gang activity and bias crimes.

The Commission has found New Jersey's Bias Officers to be dedicated professionals committed to reducing bias offenses in their jurisdictions. As Sergeant Reed explained in his testimony the importance of the Bias Officer's efforts:

"Our office is involved in every investigation of every hate crime incident which occurs in the county. We have trained and put in place hate crime officers in each department, in each town, each municipality, in each city of the county.

We actively and aggressively pursue these cases. . . I think that those who are inclined to commit this type of crime get a very clear message from law enforcement in this county that not only will we pursue and investigate, but we will prosecute. . . As you know, there is a lot more to the hate crimes officer job than just investigating hate crimes. There is a great deal to do with community relations and community service. . . we certainly are involved because the entire community is a victim."

#### Human Relations Commissions

The County Human Relations Commissions (CHRC) have been established by all of New Jersey's county prosecutors. Based upon a community conflict resolution mechanism developed by the National Conference, Monmouth County Prosecutor John Kaye established the first CHRC in February, 1990, following the

Tawana Brawley case. Due to the success of this approach, the remaining counties of the state have followed suit with the National Conference acting as the technical consultant to the CHRCs. The CHRCs are established to provide a mechanism for relieving tensions within the community concerning bias, including relations between minority groups and police agencies themselves. An additional benefit has been the creation of a dialogue and relationship between the law enforcement community and the minority community before a crisis develops, thereby creating a "venting device" for community tensions and cooperative approach to problems arising among population groups.

Listed below are some examples of programs and approaches developed by the CHRCs.

As testified to by William Suriano, honorary chairperson of the Middlesex County Human Relations Commission, his Commission has as its goals the following:

"to promote the appreciation of cultural diversity;

to help prevent prejudice, discrimination, and bias throughout the county; and to encourage the establishment of Human Relations Commissions within each town in the county."

The Middlesex County Human Relations Commission in conjunction with the County Superintendent of Schools, Dr. Mary Jean Guadette, recently conducted a survey of schools within the county to determine the needs of the schools in the bias prevention area. They hope to share resources wherever appropriate and to develop additional programming to better

educate children in the schools about prejudice and cultural diversity.

The Passaic CHRC has begun a conflict resolution program for non-serious but potential bias offenses. When non-serious offenses occur between neighbors for example, they are investigated by the county bias officer and referred by the county prosecutor to a sub-group of the CHRC, which has been established and trained in mediation and conflict resolution techniques. In this program the parties agree to participate in a mediation session designed to resolve the conflict between them on an amicable basis before the situation intensifies and a more serious offense is committed.

Some of the CHRCs are staffed by the National Conference, however most of the CHRCs are provided staff support by their respective County Prosecutor's Office. The Commission believes however, that additional funding and resources should be made available to the CHRC's to meet the increasing needs for anti-bias programming.

There were two witnesses who felt that the close tie of the Prosecutor and the CHRC could interfere with the focus of the CHRC. Because the main focus of this effort is one which has a large criminal justice component to reduce bias crime and violence based upon the victim's race or religion, it is critical to have the major commitment and involvement of the chief law enforcement of the county, the prosecutor. Additionally, the preventive nature of the CHRCs in establishing dialogues among minority groups and law enforcement before major problems develop indicates an important role for the Prosecutor's Office.

## RECOMMENDATIONS

Contained in this section are the recommendations of the Commission on Racism, Racial Violence and Religious Violence to combat bias-related violence in New Jersey.

### **Need For a Statewide Human Relations Council**

The Commission on Racism, Racial, and Religious Violence has considered ways to improve its own role in addressing bias crimes and incidents throughout the state. During the course of the public hearings it became obvious that there is a great deal of concern about the bias issue as it relates to violent acts, treatment of victims and suspects by law enforcement agencies, minority hiring practices and training of law enforcement and school personnel.

As can be seen from this report there were many concerned citizens who testified at the three public hearings about problems which are not easily addressed. The Commission has found bias crime to be a multi-faceted problem that is being addressed with many programs created by agencies from a variety of disciplines and at different levels of government, federal, state, county and local. Because of the complexity of the causes of bias and violence the Commission recommends that an independent mechanism on the state level be created with appropriate duties and responsibilities to ensure a coordinated approach to the solutions of bias crime.

The Commission believes that this proposed New Jersey Human Relations Council incorporate the duties and responsibilities of the Commission on Racism, Racial Violence and Religious Violence

and have expanded authority and responsibilities to align it with the Human Relations Commission model on the county and municipal levels. As described in the recommendation below, the New Jersey Human Relations Council should be modeled on the County Human Relations Commissions and fulfill many of the same responsibilities on the state level. It would act as a mechanism to alleviate community tensions where appropriate, assist in ensuring that appropriate training programs be instituted across the state, assist in ensuring that conflict resolution and mediation services are also available statewide, and act as an on-going "sounding board" and problem solving mechanism for reducing bias crimes in New Jersey. The proposed membership would include all of the 21 County Human Relations Commissions chairpersons, law enforcement agencies, educational departments and institutions, community organizations, and other interested groups in New Jersey. Through this mechanism, New Jersey would develop a coordinated approach to address statewide problems of shifting populations, reduced resources and increasing violence as we move into the 21st Century.

#### **I. Establishment of a State Level Human Relations Council**

An on-going state level planning and coordinating mechanism should be established to replace the existing Commission on Racism, Racial Violence and Religious Violence. This proposed New Jersey Human Relations Council (Council) should deal with the problem of bias and violent acts based upon the victim's race; color; religion; sexual orientation; ethnicity; gender; or physical, mental or cognitive disability. The Council should be

administratively housed "in but not of" the Department of Law and Public Safety and with its own, funded staff within the Division of Criminal Justice. The staff should also serve as liaisons for the Council with other appropriate agencies throughout the state.

A Chairperson should be selected from among the public members and the Council should be empowered to appoint sub-committees as needed to study specific issues.

The Council should develop policy proposals for the state and assist with coordinating efforts to prevent and deter crimes based upon the victim's race; color; religion; sexual orientation; ethnicity; gender; or physical, mental or cognitive disability. The Council should also:

- assist in diffusing tensions in communities affected by such crimes if needed
- act as a clearinghouse for informational and program ideas among the existing County Human Relations Commissions, and
- assist in providing training programs for members of the County Human Relations Commissions and other interested community leaders

Additionally, the Council should assist the Office of Bias Crimes and Community Relations in its efforts to foster better community relations throughout the state. Further, the duties outlined here should be closely coordinated with the educational community, federal government, county governments, and local governments to maximize resources and avoid duplication of effort.

Due to the broad nature of bias-based violence, the Council should be composed of an Executive Committee and a minimum of two

standing sub-committees: County Human Relations Chairpersons; and County Youth Human Relations Chairpersons.

In addition, the Executive Committee may request that other state level coordinating bodies appoint members ex-officio to sit on the Council and its sub-committees.

**Executive Committee membership should include:**

- Ten public members appointed by the Governor and the Legislature who shall be representative of the various ethnic; religious; racial; sexual orientation; gender; and physical, mental or cognitive disabilities organizations within New Jersey. Public members should be appointed for three year terms, staggered initially with one, two and three year appointments to ensure continuity.

- Ex-Officio Members or their designees:

The Attorney General;  
Commissioner of Education;  
Commissioner of Community Affairs;  
Commissioner of Corrections;  
Commissioner of Human Services;  
Public Advocate;  
Director of the Administrative Office of the Courts;  
Director of the Division of Criminal Justice;  
Superintendent of the Division of State Police;  
Director of the Division on Civil Rights;  
President of the County Prosecutors Association of New Jersey;  
President of the New Jersey State Association of Chiefs of Police;  
President of the Bias Crime Officers Association of New Jersey;  
a County Superintendent of Schools selected by the Commissioner of the Department of Education;  
President of the New Jersey Principals and Supervisors Association;  
President of the New Jersey Education Association;  
Chairperson of the New Jersey Human Relations Council's Sub-Committee of County Human Relations Commissions;  
Chairperson of the New Jersey Human Relations Council's Sub-Committee of County Youth Human Relations Commissions; and



**Membership of the Sub-Committee of County Human Relations Commissions:**

- All 21 County Human Relations Commission Chairpersons or their designees.

The members of the Sub-Committee shall elect a Chairperson of the Sub-Committee who shall serve on the Executive Committee.

**Membership of the Sub-Committee of County Youth Human Relations Commissions:**

- All 21 County Youth Human Relations Commission Chairpersons or their designees.

The members of the Sub-Committee shall elect a Chairperson of the Sub-Committee who shall serve on the Executive Committee.

**Staffing**

Adequate staffing and financial resources should be provided for the work of the Council and its sub-committees.

**Responsibilities**

The New Jersey Human Relations Council should:

- develop and present a biennial report to the Governor and Legislature on the status of bias and violence based upon race; color; religion; sexual orientation; ethnicity; gender; or physical, mental, or cognitive disability in New Jersey. The biennial report should also include the status of community relations efforts in the state including new innovative programs.
- establish and maintain a listing of conflict resolution programs and experts to be available as a resource for communities in times of crisis.
- develop in conjunction with law enforcement agencies, including the Office of Bias Crime and Community Relations, and the educational community appropriate and sufficient cultural diversity training for law enforcement personnel.
- assist local communities establish their own local Human Relations Commissions as requested.

- assess changes in local demographics and assist communities adapt to minority population shifts upon request.
- assist the various state, county and local governmental agencies with multi-cultural awareness programs to better serve the public.

#### **Powers**

The New Jersey Human Relations Council should be authorized to:

- conduct public hearings throughout the State
- establish whatever sub-committees it deems necessary to fulfill its responsibilities
- perform fact-finding and prepare reports on particular problems throughout the state in regard to racial; religious; ethnic; sexual orientation; gender; or physical, mental, cognitive disability.
- be entitled to call to its assistance and avail itself of the services and assistance of any officials of the State and its political subdivisions and their departments, boards, bureaus, commissions, and agencies as the Council may require.

#### **II. All 21 Counties In New Jersey Should Continue their Human Relations Commissions.**

Every county in the State should continue its County Human Relations Commission with adequate representation and resources to reduce and prevent the occurrence of bias and violence based upon race; color; religion; sexual orientation; ethnicity; gender; or physical, mental or cognitive disability.

#### **Responsibilities**

The County Human Relations Commission should:

- conduct in-county public hearings on a periodic basis in order to insure that local community concerns are heard.
- provide periodic information to the Council describing the County Human Relations Commission's findings and

recommendations. The county's information and/or reports should be included in the Council's biennial report to the Governor and Legislature.

- create a Conflict Resolution Team from among its members or other appropriately trained individuals. These teams should serve as a mechanism to settle disputes between members of divergent populations in cases where there has not been a felony or other violent crime committed and to prevent the escalation of minor disputes into serious disruptions within the community. The appropriateness of cases for this type of mediation should be determined by the County Prosecutor on a case-by-case basis.
- membership should be broad-based and representative of a cross-section of constituencies residing and working in the county.
- staffing for the County Human Relations Commission should continue to be provided by the County Prosecutor's Office.

#### County Youth Human Relations Committees

Additionally, due to the large percentage of bias-type crimes committed by juveniles each County Human Relations Commission should establish as a sub-committee, a County Youth Human Relations Commission. The County Youth Human Relations Commission should be composed of a cross-section of youth chosen from the county on the basis of their interest and involvement in reducing bias that is based upon race; religion; ethnicity; sexual orientation; gender; or physical, mental or cognitive disability. Every school district in the county should be represented on the County Youth Human Relations Commission.

The County Youth Human Relations Commission should develop and implement programs designed to assist young victims of bias-based incidents and crime. Additionally, the County Youth Human Relations Commission should design programs and efforts to reach,