

52:17B-59

**LEGISLATIVE HISTORY CHECKLIST**  
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"Safe and Secure Community"

**NJSA:** 52:17B-59

**LAWS OF:** 1993 **CHAPTER:** 220

**BILL NO:** A5

**SPONSOR(S)** Solomon and others

**DATE INTRODUCED:** May 13, 1993

**COMMITTEE:** **ASSEMBLY:** Local Government; Appropriations  
**SENATE:** Budget & Appropriations;  
Law & Public Safety

**AMENDED DURING PASSAGE:** No Assembly substitute enacted

**DATE OF PASSAGE:** **ASSEMBLY:** June 21, 1993  
**SENATE:** June 28, 1993

**DATE OF APPROVAL:** August 2, 1993

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes  
**SENATE:** Yes

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

See newspaper clipping--attached.

KBG:pp

ASSEMBLY SUBSTITUTE FOR

ASSEMBLY, No. 5

STATE OF NEW JERSEY

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ADOPTED JUNE 17, 1993

Sponsored by Assemblymen SOLOMON, T. SMITH  
and PASCRELL

1 AN ACT concerning State assistance for the provision of law  
2 enforcement services, supplementing chapter 17B of Title 52  
3 and chapter 43 of Title 2C of the Revised Statutes, amending  
4 P.L.1979, c.396 and P.L.1991, c.329 and making appropriations.

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

8 1. (New section) This act shall be known and may be cited as  
9 the "Safe and Secure Communities Act."

10 2. (New section) The Legislature finds and declares:

11 Crime and the fear of crime continue to grip far too many  
12 New Jersey residents. The volume of crimes committed in this  
13 State has risen by almost 10 percent over the past 10 years,  
14 according to the State Police, with violent crime comprising an  
15 ever-greater proportion of the total. A recent statewide survey  
16 revealed that one of every seven New Jersey residents had been a  
17 crime victim within the past six months.

18 While crime has mushroomed, its face and scope have changed  
19 dramatically. Rural and suburban communities, formerly  
20 considered safe havens, are now plagued by crimes once thought  
21 confined to urban areas. In fact, offenses such as carjackings are  
22 as likely to occur in suburban shopping malls as in big cities.

23 As criminals have widened their base of operations, local  
24 efforts to cope with crime have been stretched dangerously thin  
25 by economic adversity. Cash-strapped communities across the  
26 State have laid off or restrained the hiring of police officers--the  
27 first line of defense against criminals. These communities also  
28 have been required to curtail expenditures for the  
29 equipment--cars, radios and body armor--necessary for effective  
30 police operations.

31 It is clearly time for action to deal with this epidemic of crime  
32 in a forceful, yet enlightened, manner. The Safe and Secure  
33 Communities Program, established by this act, will enable the  
34 police and the community to create a partnership designed to  
35 identify and develop strategies to impact crime and improve the  
36 quality of life by (1) combining State, federal and local resources  
37 to rapidly place 2,000 additional police officers in communities  
38 throughout the State, (2) providing hard-pressed municipalities  
39 with funding to purchase the equipment vital to effective police  
40 operations, (3) imposing an additional penalty on lawbreakers to  
41 establish a continuing source of funding to pay for these officers  
42 and equipment, (4) deploying the additional officers and  
43 equipment in a focused, community-oriented manner that will  
44 assure their maximum impact in combatting crime, and (5)  
45 initiating such other programs as will meet the particular needs

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.

1 of municipalities.

2 3. (New section) As used in this act:

3 "Eligible municipality" means a municipality, which has a  
4 police department or force, in which the number of violent and  
5 nonviolent crimes per police officer exceeds 70% of the  
6 statewide average of municipalities with a municipal police  
7 department or force, as reported in the 1991 Uniform Crime  
8 Report published by the Division of State Police.

9 "Fringe benefits" means payments made by the employer for  
10 an employee's retirement, social security, health and dental  
11 insurance, workers compensation, and unemployment, disability  
12 and survivor's insurance.

13 "Fund" means the Safe Neighborhoods Services Fund  
14 established by section 5 of this act.

15 "Law enforcement equipment" or "equipment" means that  
16 equipment required for the provision of law enforcement services  
17 including, but not limited to, police cars, computers and  
18 peripheral equipment, police radios and other communications  
19 gear, weapons and body armor for which a grant is awarded  
20 pursuant to section 9 of this act.

21 "Law enforcement project" or "project" means a project  
22 employing police officers for which a grant is awarded pursuant  
23 to section 9 of this act.

24 "Other law enforcement personnel" means non-police  
25 employees who enhance a project's law enforcement capacity by  
26 performing paperwork and related support services, thereby  
27 allowing police officers to devote more time to direct community  
28 policing duties.

29 "Program" means the "Safe and Secure Communities Program"  
30 established by this act.

31 4. (New section) It is the purpose of this act to provide  
32 assistance to municipalities for law enforcement projects which  
33 accomplish the following objectives as warranted by the needs of  
34 the community:

35 a. Policing in a community-oriented manner through an  
36 emphasis on the use of foot patrols, personal interaction between  
37 police officers and residents, and participation in community  
38 crime prevention programs;

39 b. Targeting law enforcement activities toward the specific  
40 needs of persons who live or work in a particular neighborhood,  
41 such as children, senior citizens or merchants;

42 c. Encouraging resident involvement in activities that  
43 contribute to crime prevention, including citizen patrols, safe  
44 houses, neighborhood watch groups, and crime prevention  
45 educational programs;

46 d. Reducing the incidence of criminal behavior, such as drug  
47 trafficking or youth gang activity, that disrupts the normal  
48 functioning of a community;

49 e. Implementing the Violent Offenders Removal Program to  
50 identify and expeditiously apprehend violent criminals who  
51 operate within a targeted area; and

52 f. Developing other innovative strategies which hold promise  
53 for preventing or reducing crime within a defined neighborhood or  
54 with respect to a particular demographic group within the

1 municipality.

2 5. (New section) a. There is created in the Department of  
3 Treasury a nonlapsing fund entitled the "Safe Neighborhoods  
4 Services Fund." The fund shall be the depository for the  
5 assessments collected pursuant to section 11 of this act, for any  
6 State appropriations, federal grants received pursuant to  
7 subsection c. of this section, or other moneys provided to carry  
8 out the purposes of this act and for the interest earned on these  
9 deposits. The fund shall be administered by the State Treasurer.

10 b. Of the moneys deposited in the fund, 75% shall be available  
11 for approved law enforcement projects and 25% shall be available  
12 for the purchase of law enforcement equipment.

13 c. Notwithstanding the provisions of any law to the contrary,  
14 any federal funding received by the State, or for which the State  
15 is currently eligible or becomes eligible, for purposes within the  
16 purview of this act shall be deposited into the fund.

17 d. In no event shall moneys deposited in the fund be used to  
18 defray the cost of administering this act, except as provided in  
19 subsection e. of section 10 of this act.

20 6. (New section) a. An eligible municipality may apply to the  
21 Attorney General for a grant from the fund to pay the initial  
22 salaries of police officers and other law enforcement personnel  
23 deployed in a law enforcement project which is designed to meet  
24 the objectives of this act. A municipality which receives a grant  
25 for a project shall be responsible for paying the fringe benefits of  
26 all police officers or other law enforcement personnel hired,  
27 which shall be deemed the local cash match. A municipality shall  
28 further agree, as a condition of a grant awarded pursuant to this  
29 act, not to reduce its regular complement of police officers and  
30 other law enforcement personnel during the grant period.

31 b. Applications for project grants shall be made in a manner  
32 prescribed by the Attorney General. The grant application shall  
33 describe the municipality's need for grant funding, the purpose  
34 and duration of the proposed project, how the funding will be used  
35 to further the objectives stated in section 4 of this act, and the  
36 indicators by which progress in achieving these objectives and the  
37 project's purpose will be measured.

38 7. (New section) Any municipality which has a police  
39 department or force may apply to the Attorney General for a  
40 grant to purchase law enforcement equipment. Application shall  
41 be made in a manner prescribed by the Attorney General and  
42 shall include information on the type, amount, intended use,  
43 estimated cost and need for the equipment requested. A  
44 municipality which receives an equipment grant shall contribute a  
45 cash match of no less than 25% of the grant amount.

46 8. (New section) The Attorney General shall evaluate and rank  
47 project grant applications submitted by eligible municipalities  
48 with reference to the municipality's realistic opportunity to  
49 achieve the objectives specified in section 4 of this act. In  
50 evaluating the applications, the Attorney General shall give  
51 additional weight to applications which:

52 a. Propose cooperative policing agreements between two or  
53 more municipalities pursuant to P.L.1973, c.208 (C.40:8A-1 et  
54 seq.) or P.L.1952, c.72 (C.40:48B-1 et seq.);

- 1       b. Provide evidence of a project planning process which has
- 2 involved residents of the proposed project areas and institutions
- 3 and groups active in these areas;
- 4       c. Provide for the re-employment of police officers who have
- 5 been laid off by the municipality for budgetary reasons prior to
- 6 March 1, 1993;
- 7       d. Clearly delineate project outcome goals that are both
- 8 time-lined and measurable;
- 9       e. Maximize the use of funding and resources other than those
- 10 provided by the program;
- 11       f. Provide for the mobilization of residents as volunteer
- 12 participants;
- 13       g. Where practicable, provide for the employment of related
- 14 law enforcement personnel to perform paperwork and related
- 15 support services in order to free up police officers for community
- 16 policing duties; and
- 17       h. Provide for maximum program accountability according to
- 18 procedures promulgated by the Attorney General pursuant to
- 19 section 10 of this act.
- 20       9. (New section) a. There is hereby created the Safe and
- 21 Secure Communities Selection Panel. The panel shall consist of
- 22 eight members selected as follows: three members of the Senate
- 23 appointed by the President of the Senate, no more than two of
- 24 whom shall be of the same political party; three members of the
- 25 General Assembly appointed by the Speaker of the General
- 26 Assembly, no more than two of whom shall be of the same
- 27 political party; and the Attorney General and the Commissioner
- 28 of Community Affairs, who shall serve ex officio. Appointed
- 29 members shall serve the duration of the current legislative term.
- 30       b. The Attorney General on or before September 1 and
- 31 March 1 of each year shall forward to the panel his
- 32 recommendations for the award of program grants pursuant to
- 33 subsection b. of section 10 of this act.
- 34       c. The panel shall review applications for program grants and,
- 35 after considering the recommendations of the Attorney General
- 36 and the criteria established by this act, select grant recipients.
- 37       d. No more than 50% of the total dollar amount of grants
- 38 awarded from the fund shall be allocated to municipalities
- 39 eligible to receive state aid pursuant to subsections a., b. and c.
- 40 of section 1 of P.L.1985, c.170 (C.52:27D-118.11 a., b. and c.).
- 41       e. No municipality shall receive a grant exceeding \$200,000
- 42 for a project or \$50,000 for equipment. However, if funding
- 43 remains after all approved projects and law enforcement
- 44 equipment grants have been funded in any program year, funding
- 45 in excess of the amount specified in this subsection may be
- 46 awarded to grantees upon recommendation of the Attorney
- 47 General and approval by the Safe and Secure Communities
- 48 Selection Panel.
- 49       f. Initial grants under this program will be awarded only during
- 50 the first two program years following the effective date of this
- 51 act.
- 52       g. A municipality which receives a grant for a project under
- 53 this act may receive funding in subsequent years to continue that
- 54 project. Approval of a continuation grant shall be contingent

1 upon certification by the Attorney General that the project is  
2 effectively meeting the objectives of this act. A municipality  
3 that is eligible to receive an initial grant under this act shall be  
4 eligible to receive continuation funding.

5 10. (New section) a. Pursuant to the "Administrative  
6 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the  
7 Attorney General shall promulgate guidelines for the receipt of  
8 program funds, procedures to ensure grantee accountability, and  
9 any other rules and regulations necessary to carry out the  
10 purposes of this act.

11 b. Program grants shall be awarded in two annual cycles.  
12 Grants to municipalities with a fiscal year starting January 1  
13 shall be announced no later than October 30 and shall be awarded  
14 on January 1. Grants to municipalities with a fiscal year starting  
15 July 1 shall be announced no later than April 30 and shall be  
16 awarded on July 1.

17 c. The Attorney General shall promptly notify eligible  
18 municipalities regarding the program established by this act and  
19 make available to them grant applications and guidelines within  
20 30 days of this act's effective date.

21 d. Notwithstanding any law or regulation to the contrary, a  
22 municipality may expend grant moneys in the local budget year in  
23 which they are received.

24 e. Of the moneys deposited into the fund, not more than  
25 \$375,000 shall be allocated to the Attorney General to enable the  
26 Division of Criminal Justice to provide technical and operational  
27 assistance to grantees, which shall include (1) assistance in  
28 implementing an effective community policing program, including  
29 training and the development of operational plans, schedules and  
30 strategies, and (2) coordination of and assistance with violent  
31 offender removal programs.

32 11. (New section) a. (1) In addition to any other fine, fee or  
33 assessment imposed, any person convicted of a crime, disorderly  
34 or petty disorderly persons offense or violation of R.S.39:4-50  
35 shall be assessed \$75 for each conviction.

36 (2) In addition to any term or condition that may be included in  
37 an agreement for supervisory treatment pursuant to  
38 N.J.S.2C:43-13 or imposed as a term or condition of conditional  
39 discharge pursuant to section 3 of P.L.1987, c.106 (C.2C:36A-1),  
40 a participant in either program shall be required to pay an  
41 assessment of \$75.

42 b. All assessments provided for in this section shall be  
43 collected as provided for collection of fines and restitutions in  
44 section 3 of P.L.1979, c.396 (C.2C:46-4) and shall be forwarded  
45 to the Department of the Treasury as provided in subsection c. of  
46 this section.

47 c. All money collected pursuant to this section shall be  
48 forwarded to the Department of the Treasury to be deposited into  
49 the Safe Neighborhoods Services Fund created by section 5 of this  
50 act.

51 12. Section 3 of P.L. 1979, c.396 (C.2C:46-4) is amended to  
52 read as follows:

53 3. a. All fines, assessments imposed pursuant to section 2 of  
54 P.L.1979, c.396 (C.2C:43-3.1) and restitution shall be collected as

1 follows:

2 (1) All fines, assessments imposed pursuant to section 2 of  
3 P.L.1979, c.396 (C.2C:43-3.1) and restitution imposed by the  
4 Superior Court or otherwise imposed at the county level, shall be  
5 collected by the county probation department except when such  
6 fine, assessment or restitution is imposed in conjunction with a  
7 custodial sentence to a State correctional facility in which event  
8 such fine, assessment or restitution shall be collected by the  
9 Department of Corrections. An adult prisoner of a State  
10 correctional institution who has not paid an assessment imposed  
11 pursuant to section 2 of P.L.1979, c.396 (C.2C:43-3.1) or  
12 restitution shall have the assessment or restitution deducted from  
13 any income the inmate receives as a result of labor performed at  
14 the institution or on any type of work release program or,  
15 pursuant to regulations promulgated by the Commissioner of the  
16 Department of Corrections, from any personal account  
17 established in the institution for the benefit of the inmate.

18 (2) All fines, assessments imposed pursuant to section 2 of  
19 P.L.1979, c.396 (C.2C:43-3.1) and restitution imposed by a  
20 municipal court shall be collected by the municipal court clerk  
21 except if such fine, assessments imposed pursuant to section 2 of  
22 P.L.1979, c.396 (C.2C:43-3.1), or restitution is ordered as a  
23 condition of probation in which event it shall be collected by the  
24 county probation department.

25 b. Except as provided in subsection c. with respect to fines  
26 imposed on appeals following convictions in municipal courts, all  
27 fines imposed by the Superior Court or otherwise imposed at the  
28 county level, shall be paid over by the officer entitled to collect  
29 same to:

30 (1) The county treasurer with respect to fines imposed on  
31 defendants who are sentenced to and serve a custodial term,  
32 including a term as a condition of probation, in the county jail,  
33 workhouse or penitentiary except where such county sentence is  
34 served concurrently with a sentence to a State institution; or

35 (2) The State Treasurer with respect to all other fines.

36 c. All fines imposed by municipal courts on defendants  
37 convicted of crimes, disorderly persons offenses and petty  
38 disorderly persons offenses, and all fines imposed following  
39 conviction on appeal therefrom, and all forfeitures of bail shall  
40 be paid over by the officer entitled to collect same to the  
41 treasury of the municipality wherein the municipal court is  
42 located.

43 In the case of an intermunicipal court, fines shall be paid into  
44 the municipal treasury of the municipality in which the offense  
45 was committed, and costs, fees, and forfeitures of bail shall be  
46 apportioned among the several municipalities to which the  
47 court's jurisdiction extends according to the ratios of the  
48 municipalities' contributions to the total expense of maintaining  
49 the court.

50 d. All assessments imposed pursuant to section 2 of P.L.1979,  
51 c.396 (C.2C:43-3.1) shall be forwarded and deposited as provided  
52 in that section.

53 e. All mandatory Drug Enforcement and Demand Reduction  
54 penalties imposed pursuant to N.J.S.2C:35-15 shall be forwarded

- 1 and deposited as provided for in that section.
- 2 f. All forensic laboratory fees assessed pursuant to  
3 N.J.S.2C:35-20 shall be forwarded and deposited as provided for  
4 in that section.
- 5 g. All restitution ordered to be paid to the Violent Crimes  
6 Compensation Board pursuant to N.J.S.2C:44-2 shall be  
7 forwarded to the Board for deposit in the Violent Crimes  
8 Compensation Board Account.
- 9 h. All assessments imposed pursuant to section 11 of P.L. c.  
10 (C. )(now pending in the Legislature as this bill) shall be  
11 forwarded and deposited as provided in that section.  
12 (cf: P.L.1991, c.329, s.12)

13 13. Section 13 of P.L.1991, c.329 (C.2C:46-4.1) is amended to  
14 read as follows:

15 13. Moneys that are collected in satisfaction of any  
16 assessment imposed pursuant to section 2 of P.L.1979, c.396  
17 (C.2C:43-3.1), or in satisfaction of restitution or fines imposed in  
18 accordance with the provisions of Title 2C of the New Jersey  
19 Statutes, shall be applied in the following order:

20 a. first, in satisfaction of all assessments imposed pursuant to  
21 section 2 of P.L.1979, c.396 (C.2C:43-3.1);

22 b. second, in satisfaction of any restitution ordered;

23 c. third, in satisfaction of all assessments imposed pursuant to  
24 section 11 of P.L. c. (C. )(now pending in the Legislature as this  
25 bill).

26 d. fourth, in satisfaction of any forensic laboratory fee  
27 assessed pursuant to N.J.S.2C:35-20;

28 [d. fourth] e. fifth, in satisfaction of any mandatory Drug  
29 Enforcement and Demand Reduction penalty assessed pursuant to  
30 N.J.S.2C:35-15; and

31 [e. fifth] f. sixth, in satisfaction of any fine.

32 (cf: P.L.1991, c.329, s.13)

33 14. There is appropriated from the General Fund \$15,000,000  
34 to the Department of the Treasury for deposit into the Safe  
35 Neighborhoods Services Fund. There is also appropriated  
36 \$150,000 from the General Fund to the Department of Personnel  
37 for administration and scoring of police officer examinations for  
38 jurisdictions operating under Title 11A of the New Jersey  
39 Statutes.

40 15. This act shall take effect immediately and subsection a. of  
41 section 9 shall expire after two years.

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#### STATEMENT

45

46 Assembly Bill No. 5 (1R) creates "The Safe and Secure  
47 Communities Program" to fund the deployment of 2,000 police  
48 officers over two years in communities throughout the State and  
49 to purchase needed law enforcement equipment. This Assembly  
50 substitute for A-5 (1R) makes certain modifications to that bill.

51 The substitute imposes an additional \$75 penalty on persons  
52 convicted of crimes, disorderly persons offenses and drunk  
53 driving. Persons who enter supervisory treatment as an  
54 alternative to prosecution or who receive a conditional discharge



1 for certain first offenses also would be subject to the \$75  
2 penalty. These penalties would be collected after assessments  
3 collected by the Violent Crimes Compensation Board and the  
4 payment of restitutions. A-5 (1R) would have imposed an  
5 additional penalty of \$150 on persons convicted of crimes and \$75  
6 on those convicted of disorderly persons offenses for support of  
7 the program. These additional penalties would have been  
8 collected prior to restitutions.

9 The substitute permits the Attorney General to use up to  
10 \$375,000 of the moneys deposited in the Safe Neighborhoods  
11 Services Fund, established to support the program, to provide  
12 training and technical assistance to program grantees through the  
13 Division of Criminal Justice in the Department of Law and Public  
14 Safety.

15 The substitute clarifies that the restriction limiting 50% of  
16 program funding to municipalities eligible to receive Safe and  
17 Clean Neighborhoods Program funding does not apply to  
18 municipalities eligible for Supplemental Safe and Clean aid.

19 The substitute also provides for two annual cycles of grant  
20 awards. Grants to municipalities with a fiscal year starting  
21 January 1 would be announced no later than October 30 and  
22 awarded on January 1. Awards to municipalities with a fiscal  
23 year starting July 1 would be announced no later than April 30  
24 and awarded on July 1.

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Establishes "Safe and Secure Communities Program."

1 Attorney General with a monthly accounting of moneys received,  
2 deposited and identified as receivable, on forms prescribed  
3 pursuant to section 19 of P.L.1991, c.329 (C.52:4B-8.1).

4 (6) (a) The Violent Crimes Compensation Board Account shall  
5 be a separate, nonlapsing, revolving account that shall be  
6 administered by the Violent Crimes Compensation Board. All  
7 moneys deposited in that Account shall be used in satisfying  
8 claims pursuant to the provisions of the "Criminal Injuries  
9 Compensation Act of 1971," P.L.1971, c.317 (C.52:4B-1 et seq.)  
10 and for related administrative costs.

11 (b) The Criminal Disposition and Revenue Collection Fund  
12 shall be a separate, nonlapsing, revolving account that shall be  
13 administered by the Violent Crimes Compensation Board. All  
14 moneys deposited in that Fund shall be used as provided in section  
15 19 of P.L.1991, c.329 (C.52:4B-8.1).

16 (c) The Victim and Witness Advocacy Fund shall be a separate,  
17 nonlapsing, revolving fund and shall be administered by the  
18 Division of Criminal Justice, Department of Law and Public  
19 Safety and all moneys deposited in that Fund pursuant to this  
20 section shall be used for the benefit of victims and witnesses of  
21 crime as provided in section 20 of P.L.1991, c.329 (C.52:4B-43.1)  
22 and for related administrative costs.

23 b. (Deleted by amendment, P.L.1991, c.329).

24 c. (Deleted by amendment, P.L.1991, c.329).

25 d. (Deleted by amendment, P.L.1991, c.329).

26 (cf: P.L.1991, c.329, s.3)

27 12. This act shall take effect immediately and section 8 of this  
28 act shall expire after the first two funding cycles of the program  
29 established by this act.

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## STATEMENT

33

34 This bill creates the "Safe and Secure Communities Program"  
35 to combat crime by rapidly deploying 1,000 new police officers in  
36 municipalities throughout the State, in the first year, and to  
37 provide the equipment they need to do their jobs. It is the  
38 sponsor's intention that funding for another 1,000 police officers  
39 be provided in the second year of the program.

40 Funding for the officers and equipment would be supported, in  
41 part, by an additional penalty imposed by the bill on criminal  
42 offenders. The bill creates the Safe Neighborhoods Services Fund  
43 as a depository for these penalties and a continuing source of  
44 program funding. Additional State and federal appropriations  
45 would be added to the fund to cover first-year costs.

46 Grants to hire police officers would be awarded to  
47 municipalities with carefully designed projects which focus the  
48 efforts of these officers on particular needs of the community. A  
49 major goal of the program is to foster the concept of  
50 community-oriented policing, which emphasizes foot patrols,  
51 interaction between the police and residents, and crime  
52 prevention. Other emphases of the program are the targeting of  
53 law enforcement activity to assist segments of the population  
54 most in need, the apprehension of violent criminals, and the

1 involvement of residents in crime prevention and education  
2 programs.

3 Seventy-five percent of the funding provided by the bill would  
4 be available to hire police officers. Municipalities which receive  
5 funding would be required to pay the officers' fringe benefits as  
6 a local cash match.

7 The remaining 25 percent of the funding provided by the bill  
8 would be reserved for grants to purchase police equipment,  
9 including police cars, weapons, body armor and radios.  
10 Municipalities would be asked to document their need for  
11 equipment funds. Any municipality with a police force would be  
12 eligible for an equipment grant.

13 Municipalities would apply to the Attorney General for  
14 program grants according to guidelines promulgated by the  
15 Attorney General to carry out the objectives of the bill. The  
16 Attorney General will evaluate applications and make  
17 recommendations for funding to the Safe and Secure  
18 Communities Selection Panel. The panel, consisting of three  
19 members of the Senate, three members of the General Assembly,  
20 the Commissioner of Community Affairs and the Attorney  
21 General, will select program grantees.

22 Municipalities would be eligible for the grants to hire police  
23 officers if their number of reported crimes per police officer  
24 exceeds 70 percent of the statewide average of municipal crimes  
25 per police officer, as reported in the 1991 Uniform Crime Report  
26 of the Division of State Police.

27 Eligible municipalities could receive grants of up to \$200,000  
28 for police officers and \$50,000 for equipment under the bill.

29 Municipalities would have two years after enactment of the bill  
30 to apply for initial grants. Those receiving initial grants would be  
31 eligible for continued funding in subsequent years if they  
32 continued to fulfill program objectives. However, the section of  
33 the act creating the grantee selection panel would expire in two  
34 years.

35 The bill increases the additional penalty imposed on persons  
36 convicted of a crime of violence by \$150 and on persons  
37 convicted of disorderly persons or petty disorderly persons  
38 offense by \$75. These moneys would be collected after the  
39 additional penalties assessed to compensate the victims of violent  
40 crimes. The new penalties would be placed in the Safe  
41 Neighborhoods Services Fund to fulfill the purposes of this act.

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46 Establishes "Safe and Secure Communities Program."

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5

STATE OF NEW JERSEY

DATED: JUNE 3, 1993

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The Assembly Local Government Committee favorably reports Assembly Bill No. 5.

Assembly Bill No. 5 creates the "Safe and Secure Communities Program" to combat crime by rapidly deploying 1,000 new police officers in municipalities throughout the State, in the first year, and to provide the equipment they need to do their jobs. It is the sponsors' intention that funding for another 1,000 police officers be provided in the second year of the program.

Funding for the officers and equipment would be supported, in part, by an additional penalty imposed by the bill on criminal offenders. The bill creates the Safe Neighborhoods Services Fund as a depository for these penalties and a continuing source of program funding. Additional State and certain federal appropriations could be added to the fund to cover first-year costs.

Grants to hire police officers would be awarded to municipalities with carefully designed projects which focus the efforts of these officers on particular needs of the community. A major goal of the program is to foster the concept of community-oriented policing, which emphasizes foot patrols, interaction between the police and residents, and crime prevention. Other emphases of the program are the targeting of law enforcement activity to assist segments of the population most in need, the apprehension of violent criminals, and the involvement of residents in crime prevention and education programs.

Seventy-five percent of the funding provided by the bill would be available to hire police officers. Municipalities which receive funding would be required to pay the officers' fringe benefits as a local cash match.

The remaining 25 percent of the funding provided by the bill would be reserved for grants to purchase police equipment, including police cars, weapons, body armor and radios. Municipalities would be asked to document their need for equipment funds. Any municipality with a police force would be eligible for an equipment grant.

Municipalities would apply to the Attorney General for program grants according to guidelines promulgated by the Attorney General to carry out the objectives of the bill. The Attorney General will evaluate applications and make recommendations for funding to the Safe and Secure Communities Selection Panel. The panel, consisting of three members of the Senate, three members of the General Assembly, the Commissioner of Community Affairs and the Attorney General, will select program grantees.

A municipality would be eligible for a grant to hire police officers if its number of reported crimes per police officer exceeds 70 percent of the Statewide average of municipal crimes per police officer, as reported in the 1991 Uniform Crime Report of the Division of State Police.

For each approved project under the bill, an eligible municipality could receive grants of up to \$200,000 for police officers and \$50,000 for equipment.

Municipalities would have two years after enactment of the bill to apply for initial grants. Those receiving initial grants would be eligible for continued funding in subsequent years if they continued to fulfill program objectives. However, the section of the act creating the grantee selection panel would expire in two years.

The bill increases the additional penalty imposed on persons convicted of a crime of violence by \$150 and on persons convicted of disorderly persons or petty disorderly persons offense by \$75. These moneys would be collected after the additional penalties assessed to compensate the victims of violent crimes. The new penalties would be placed in the Safe Neighborhoods Services Fund to fulfill the purposes of this act.

ASSEMBLY APPROPRIATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 5**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 14, 1993

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The Assembly Appropriations Committee reports favorably Assembly Bill No. 5, with Assembly committee amendments.

Assembly Bill No. 5, as amended, creates the "Safe and Secure Communities Program" to combat crime by rapidly deploying 1,000 new police officers in municipalities throughout the State, in the first year, and to provide the equipment they need to do their jobs. It is the sponsor's intention that funding for another 1,000 police officers be provided in the second year of the program.

Funding for the officers and equipment would be supported, in part, by an additional penalty imposed by the bill on criminal offenders. The bill creates the Safe Neighborhoods Services Fund as a depository for these penalties and a continuing source of program funding. Additional State and federal appropriations would be added to the fund to cover first-year costs.

Grants to hire police officers would be awarded to municipalities with carefully designed projects which focus the efforts of these officers on particular needs of the community. A major goal of the program is to foster the concept of community-oriented policing, which emphasizes foot patrols, interaction between the police and residents, and crime prevention.

Municipalities would apply to the Attorney General for program grants according to guidelines of the Attorney General. The Attorney General will evaluate applications and make recommendations for funding to the Safe and Secure Communities Selection Panel. The panel, consisting of three members of the Senate, three members of the General Assembly, the Commissioner of Community Affairs and the Attorney General, will select program grantees.

Municipalities would be eligible for the grants to hire police officers if their number of reported crimes per police officer exceeds 70 percent of the statewide average of municipal crimes per police officer, as reported in the 1991 Uniform Crime Report of the Division of State Police.

Eligible municipalities could receive grants of up to \$200,000 for police officers and \$50,000 for equipment under the bill.

Municipalities would have two years after enactment of the bill to apply for initial grants. Those receiving initial grants would be eligible for continued funding in subsequent years if they continued to fulfill program objectives. However, the section of the act creating the grantee selection panel would expire in two years.

The bill increases the additional penalty imposed on persons convicted of a crime of violence by \$150 and on persons convicted of disorderly persons or petty disorderly persons offense by \$75.

These moneys would be collected after the additional penalties assessed to compensate the victims of violent crimes. The new penalties would be placed in the Safe Neighborhoods Services Fund to fulfill the purposes of this act.

FISCAL IMPACT:

This bill, as amended, makes General Fund appropriations of \$15 million for the Safe Neighborhoods Services Fund and \$150,000 for the Department of Personnel for test scoring administration of police officer exams. Under the bill 75% of the funding is for salaries, and 25% is for police equipment.

COMMITTEE AMENDMENTS:

The amendments provide General Fund appropriations of \$15 million to the Safe Neighborhoods Services Fund and \$150,000 to the Department of Personnel for test scoring administration.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY SUBSTITUTE FOR

ASSEMBLY, No. 5

STATE OF NEW JERSEY

DATED: JUNE 24, 1993

The Senate Law and Public Safety Committee reports favorably the Assembly Substitute for Assembly Bill No. 5.

This bill creates the "Safe and Secure Communities Program" to combat crime by rapidly deploying 1,000 new police officers in municipalities throughout the State, in the first year, and to provide the equipment they need to do their jobs. The committee understands that it is the sponsors' intention that funding for another 1,000 police officers be provided in the second year of the program.

Funding for the officers and equipment would be supported, in part, by an additional penalty imposed by the substitute on persons convicted of crimes, disorderly persons offenses and drunk driving, and on supervisory treatment and conditional discharge program participants. The substitute creates the Safe Neighborhoods Services Fund as a depository for these penalties and a continuing source of program funding. Additional State and federal appropriations would be added to the fund to cover first-year costs.

Grants to hire police officers would be awarded to municipalities with carefully designed projects which focus the efforts of these officers on particular needs of the community. A major goal of the program is to foster the concept of community-oriented policing, which emphasizes foot patrols, interaction between the police and residents, and crime prevention. Other emphases of the program are the targeting of law enforcement activity to assist segments of the population most in need, the apprehension of violent criminals, and the involvement of residents in crime prevention and education programs.

Seventy-five percent of the funding provided by the bill would be available to hire police officers. Municipalities which receive funding would be required to pay the officers' fringe benefits as a local cash match.

The remaining 25 percent of the funding provided by the bill would be reserved for grants to purchase police equipment, including police cars, weapons, body armor and radios. Municipalities would be asked to document their need for equipment funds. Any municipality with a police force would be eligible for an equipment grant.

Municipalities would apply to the Attorney General for program grants according to guidelines promulgated by the Attorney General to carry out the objectives of the bill. The Attorney General will evaluate applications and make recommendations for funding to the Safe and Secure Communities Selection Panel. The panel, consisting of three members of the Senate, three members of the General Assembly, the Commissioner of Community Affairs and the Attorney General, will select program grantees. The substitute also

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permits the Attorney General to use up to \$375,000 of the moneys deposited in the Safe Neighborhoods Services Fund to provide training and technical assistance to program grantees through the Division of Criminal Justice in the Department of Law and Public Safety.

Municipalities would be eligible for the grants to hire police officers if their number of reported crimes per police officer exceeds 70 percent of the statewide average of municipal crimes per police officer, as reported in the 1991 Uniform Crime Report of the Division of State Police.

The substitute specifies that no more than 50 percent of the total dollar amount of grants awarded from the fund shall be allocated to municipalities eligible to receive Safe and Clean Neighborhoods Program funding.

Eligible municipalities could receive grants of up to \$200,000 for police officers and \$50,000 for equipment under the bill.

Municipalities would have two years after enactment of the bill to apply for initial grants. Those receiving initial grants would be eligible for continued funding in subsequent years if they continued to fulfill program objectives. However, the section of the act creating the grantee selection panel would expire in two years.

The substitute provides for two annual cycles of grant awards. Grants to municipalities with a fiscal year starting January 1 would be announced no later than October 30 and awarded on January 1. Awards to municipalities with a fiscal year starting July 1 would be announced no later than April 30 and awarded July 1.

The substitute imposes an additional \$75 penalty on persons convicted of a crimes, disorderly persons offenses and drunk driving. Persons who enter supervisory treatment as an alternative to prosecution or who receive a conditional discharge for certain first offenses also would be subject to the \$75 penalty. These penalties would be collected after assessments collected by the Violent Crimes Compensation Board and the payment of restitutions. The new penalties would be placed in the Safe Neighborhoods Services Fund to fulfill the purposes of this act.

This bill is identical to the Senate Committee Substitute for Senate Bill, No. 1837 which was also released by the committee on this date.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY SUBSTITUTE FOR

ASSEMBLY, No. 5

STATE OF NEW JERSEY

DATED: JUNE 24, 1993

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The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 5 (AS).

Assembly Bill No. 5 (AS) creates the "Safe and Secure Communities Program" to provide grants to eligible municipalities for the cost of additional police officers and law enforcement equipment. Municipalities would be eligible for grants to hire police officers if the number of reported crimes per police officer exceeds 70 percent of the statewide average of municipal crimes per police officer, as reported in the 1991 Uniform Crime Report of the Division of State Police. It is anticipated that funding for 1,000 police officers will be provided by this bill during the first year of implementation and an additional 1,000 during the second year.

The bill creates the "Safe Neighborhoods Services Fund" in the Department of Treasury as a depository for the \$75 additional assessment imposed by the bill on persons convicted of crimes, disorderly persons offenses, petty disorderly persons offenses or drunk driving. This assessment would be collected only after the assessment for the fund which compensates victims of violent crimes and any court-ordered restitution is collected. The appropriation of \$15,000,000 made in this bill and any federal funds which become available would be added to the fund to cover first-year costs. Of the monies in the fund, 75% is to be used for grants to enable municipalities to hire law enforcement officers and 25% for the purchase of law enforcement equipment. Municipalities would be required to pay the fringe benefits of any officers hired as a result of the receipt of a grant.

Grants to hire police officers would be awarded to municipalities with carefully designed projects which focus the efforts of these officers on particular needs of the community. A major goal of the program is to foster the concept of community-oriented policing, which emphasizes foot patrols, interaction between the police and residents, and crime prevention.

Municipalities would apply to the Attorney General for program grants. The Attorney General will evaluate applications and make recommendations for funding to the Safe and Secure Communities Selection Panel. The panel, consisting of three members of the Senate, three members of the General Assembly, the Commissioner of Community Affairs and the Attorney General, would select program grantees.

Eligible municipalities could receive grants of up to \$200,000 for police officers and \$50,000 for equipment under the bill. Grants to municipalities would be awarded twice annually. Grants to municipalities with the fiscal year starting January 1 would be announced no later than October 30 and awarded on January 1; grants to municipalities with the fiscal year starting July 1 would

be announced no later than April 30 and awarded on July 1.

Municipalities would have two years after enactment of the bill to apply for initial grants. Those receiving initial grants would be eligible for continued funding in subsequent years if they continue to fulfill program objectives.

The bill allocates \$375,000 of the \$15,000,000 appropriation to the Attorney General for the cost of providing technical and operational assistance to municipalities receiving grants. In addition, a separate appropriation of \$150,000 from the General Fund to the Department of Personnel is made for the cost of administering and scoring police officer examinations.

As reported, this bill is identical to the Senate Committee Substitute for Senate Bill No. 1837 as reported by the Senate Law and Public Safety Committee on June 24, 1993.

#### FISCAL IMPACT

This bill appropriates from the General Fund to the Department of Treasury \$15,000,000 for deposit into the "Safe Neighborhoods Services Fund" created in section 5 of the bill. Of this appropriation, \$375,000 is allocated to the Attorney General for the cost of providing technical and operational assistance to municipalities receiving grants.

An additional \$150,000 is appropriated from the General Fund to the Department of Personnel for administering and scoring examinations of new law enforcement officer candidates.

According to the sponsor, the \$75 assessment provided in the bill will generate approximately \$6,000,000 annually.

Under this bill, the annual grants to municipalities would be paid in two equal installments. The payment schedule provided in the bill will result in the first year's installments being paid in two State fiscal years. The first installment for the first year of the program will be paid on January 1, 1994, in State Fiscal Year 1994 and the second installment will be paid on July 1, 1994, in State Fiscal Year 1995.

The statewide average starting salary for local police officers in 1991 was approximately \$24,300, according to the N.J. League of Municipalities. Based on this figure, and assuming a 7 percent annual inflation rate for law enforcement salaries, the first year's salary cost to the State for 1,000 new police officers would be \$27,821,000. However, if this amount is awarded in grants under the bill, one half or \$13,910,000 would be paid on January 1, 1994, in State Fiscal Year 1994 and one half on July 1, 1994, in State Fiscal Year 1995.

The cost to municipalities for fringe benefits for these new officers would be \$8,346,000, assuming that these benefits average 30 percent of salaries.

In addition, the bill permits the fund to be used to provide grants to municipalities for the purchase of equipment. The amount required for these grants will depend on the number of applications submitted by municipalities and the number of grants approved.

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## OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001  
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Monday  
August 2, 1993

### **GOVERNOR SIGNS BILL PUTTING MORE POLICE ON NEIGHBORHOOD STREETS**

**CLIFTON** -- One thousand new police officers will hit the streets in towns across the state under legislation signed today by Governor Jim Florio, which also beefs up police departments with the equipment they need to fight crime. The Governor also signed a bill toughening penalties for eluding police in a stolen vehicle.

"The Safe and Secure Communities Program will increase the number of police who walk the beat. That used to be considered old fashioned, but I believe it's the wave of the future. It's what works," said Governor Florio, who signed the bill at Sullivan Square. "We're targeting communities where criminal activity is heaviest. Foot patrols will strengthen the bonds of trust and keep the bad guys moving so they never get the chance to burrow in and rot the fabric of life in our neighborhoods."

"In New Jersey, we mean it when we say crime doesn't pay. We'll take the money out of lawbreakers' hides and use it to help pay for the cop on the beat and the best equipment money can buy," the Governor said.

The "Safe and Secure Communities Program" will provide grants to towns to hire 1,000 additional police in high crime areas and buy police equipment. An additional 1,000 police officers are expected to be hired next year. A municipality would be eligible for the grants to hire additional officers if the number of reported crimes per police officer exceeds 70 percent of the statewide average of municipal crimes as per the 1991 Uniform Crime Report.

Funding for the program would be supported in part by an additional penalty imposed on offenders and deposited in a Safe Neighborhood Services Fund. Fines assessed with convictions will be increased by \$75 - \$150, depending on the offense. Eligible towns could receive grants of up to \$200,000 for police officers and \$50,000 for equipment under the legislation.

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Grants to hire police officers would be awarded to municipalities with carefully designed projects that focus the efforts of the officers on particular community needs. A major goal of the program is to foster community-policing, which emphasizes foot patrols, interaction between police and residents, and crime prevention.

Seventy-five percent of the funding would be available to hire police officers. Municipalities would be required to match funding by providing for the officer's benefits. The remaining 25 percent would be reserved for grants to purchase police equipment such as police cars, weapons, body armor and radios.

"We know that when citizens and police work as partners, crime goes down. Parks and playgrounds open up. Streets become neighborhoods again. Business prospers and most important, people regain their dignity and sense of hope," Governor Florio said. "That's the New Jersey we all want to see today and especially for our children."

A 5/S 1837 was sponsored by Assemblypersons Lee Solomon, Tom Smith and William Pascrell, and Senators Bradford Smith and John Scott.

### **BOOSTING PENALTIES FOR CAR THEFTS**

Governor Florio also signed a bill which upgrades penalties for eluding police and aggravated assault using a stolen vehicle.

Up until now, the penalty for eluding police while operating a stolen vehicle was punishable as a disorderly persons offense with up to six months in jail and/or up to a \$1,000 fine. If eluding creates a risk of injury or death, it was graded as a fourth-degree crime resulting in up to 18 months in jail and/or a fine of up to \$7,500.

Under the new law:

- eluding is a third-degree crime, carrying a jail term of three to five years and/or a fine of up to \$7,500.
- if the offense creates a risk of injury or death, it becomes a second-degree crime under the new law, carrying a prison term of five to ten years and/or a fine up to \$100,000. There is a presumption in favor of jail time for all second-degree offenses, even for first-time offenders.

The new law also boosts the penalties for aggravated assault while using a stolen vehicle. Until now, aggravated assault was graded as a second-degree crime when serious bodily injury occurred as a result of a person's attempt to elude police. It was graded as a third-degree crime if bodily injury resulted from an attempt to elude.

The new law eliminates the requirement that there be a serious bodily injury in order for the crime to be graded as second-degree. *Any* bodily injury

would be sufficient to support a conviction for a second-degree crime. The bill also provides that a person is guilty of aggravated assault when bodily injury to another results from operating a stolen vehicle while joyriding in a reckless manner and makes it a second-degree crime.

"This bill puts the brakes on a frightening and dangerous act. Suspects who lead police on high speed chases put everyone around them at risk of injury or death," Governor Florio said. "Now, they'll face mandatory sentences for turning a motor vehicle into a deadly weapon."

Governor Florio noted that last week, the state Supreme Court ruled that police can pursue criminals trying to escape the law in a motor vehicle. In addition, he pointed out that the Federal Bureau of Investigation had called New Jersey's police pursuit guidelines the best in the nation.

"Sometimes, the police have no other choice, but the decision to pursue is done with the gravest sense of responsibility. I know that law enforcement, from the Attorney General on down to each officer in a police car, welcomes this law," Governor Florio said.

S 1205/A 45/1823/1821 was sponsored by Senator John Girgenti, and Assemblypersons Frank Catania, Robert Brown and Anthony Impreveduto.

# # #