

ASSEMBLY, No. 5394

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 8, 2023

Sponsored by:

Assemblyman WILLIAM F. MOEN, JR.

District 5 (Camden and Gloucester)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

SYNOPSIS

Requires law enforcement develop protocol for social media in certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT requiring law enforcement to develop a protocol for the
2 removal of social media posts in certain circumstances and
3 supplementing Title 52 of the Revised Statutes.

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

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8 1. a. As used in this act:

9 “Local police department” means a county police department
10 established pursuant to N.J.S.40A:14-106, and a municipal police
11 department established pursuant to N.J.S.40A:14-118.

12 “Missing person” means an individual whose status is under
13 investigation by the Missing Persons Unit in the Division of State
14 Police in the Department of Law and Public Safety.

15 “Wanted Person” means an individual with an outstanding arrest
16 warrant or pending charges in the New Jersey Wanted Person System
17 (NJWPS) or the New Jersey Criminal Justice Information System
18 (NJCJIS) in the files of the National Crime Information Center
19 (NCIC).

20 b. The State Police and every local police department in this
21 State that uses a social media platform to post information of missing
22 persons or wanted persons shall develop and implement a protocol
23 for the publishing and removal of the posting. The protocol shall
24 include a deadline of no more than six months for the removal of a
25 posting of a wanted person who has been arrested or whose charges
26 have been dismissed, or a missing person who has been found.

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28 2. This act shall take effect immediately.

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STATEMENT

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33 This bill requires the State Police and local police departments that
34 use social media to post information regarding missing or wanted
35 persons to develop and implement a protocol for the posting of that
36 information and for the removal of the posting no later than six
37 months after the issue is resolved.

38 Currently, there is no statutory requirement for the State’s law
39 enforcement to remove social media postings of wanted or missing
40 persons. Therefore, a person no longer sought by police could be
41 denied opportunities, such as employment, for appearing as a wanted
42 person. Similarly, a person who is no longer missing could endure
43 unnecessary scrutiny.

44 This bill seeks to alleviate the potential for harm that may be
45 caused by the persistence of outdated information posted by the
46 police on the Internet.