

RACIAL AND ETHNIC COMMUNITY CRIMINAL JUSTICE AND PUBLIC SAFETY IMPACT STATEMENT

[First Reprint]

SENATE, No. 249

STATE OF NEW JERSEY 220th LEGISLATURE

Synopsis: Implements certain guidelines concerning purchase of catalytic converters

INTRODUCTION

The Office of Legislative Services does not develop or maintain source data concerning the criminal justice system in the State. The Office of Legislative Services makes reasonable efforts to obtain data from Executive Branch Departments and the Judiciary. This statement may reflect information provided by the United States Census Bureau, the Administrative Office of the Courts within the Judiciary, the New Jersey Department of Corrections, the New Jersey Office of the Attorney General, and the Juvenile Justice Commission in the New Jersey Department of Law and Public Safety. The publicly available data contained within this statement allows for a general overview of the population data for racial and ethnic minorities nationally, Statewide, and within the incarcerated populations. This statement does not provide for an in-depth analysis of that data.

Additional data concerning events of interest (i.e. arrests, charges, and convictions), recidivism rates, and incarceration rates for the specific crimes addressed herein sorted by race and ethnicity is needed in order to make a conclusion on the impacts on racial and ethnic minorities. Additional data concerning the deterrent effects of similar laws of this type is needed to determine the impact on community criminal justice and public safety. It should be noted that the data needed is not currently collected by the responding departments or agencies as it likely does not exist.

BILL DESCRIPTION

Senate Bill No. 249(1R) modifies existing law concerning the regulation of scrap metal businesses to incorporate certain provisions related to catalytic converters.

The bill amends the definition of “scrap metal” to include a used catalytic converter, in whole or in part, if the used catalytic converter is not attached to a motor vehicle.

Current law requires the owner of a scrap metal business to maintain a record of all receipts or purchases of scrap metal in excess of 100 pounds or \$50, whichever is less, for at least five years. The record is to include, among other information, the date of receipt or purchase of the scrap metal and the name and address of the person delivering or selling the scrap metal. The bill expands the record requirement concerning purchases of used catalytic converters that are not attached to a motor vehicle. Under the bill, if a scrap metal business purchases a used, detached catalytic converter from a seller who is not registered as a business that, in the regular course of business, collects, stores, or sells a used catalytic converter or any other motor vehicle part the scrap metal business is to include in the record the following information:

(1) the Vehicle Identification Number of the motor vehicle from which the catalytic converter was taken; and

(2) a copy of the certificate of title or registration, a receipt from a transaction of repair, or a bill of sale for the motor vehicle from which the catalytic converter was taken.

The bill also prohibits the owner of a scrap metal business from purchasing or attempting to purchase scrap metal unless the person delivering or selling scrap metal provides the information required.

Lastly, the bill limits the purchase of used, detached catalytic converters to scrap metal businesses unless the seller is a registered business that, in the regular course of business, collects, stores, or sells catalytic converters or any other motor vehicle parts.

Federal and State Census Information¹

	Population	Caucasian	African American	Native American/ Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Hispanic	Two or More Races/Other
National Census Estimate	331,450,000	59.3%	13.6%	1.3%	6.1%	0.3%	18.9%	2.9%
State Census Estimate	9,289,000	53.5%	15.3%	0.7%	10.3%	0.1%	21.5%	2.4%

Federal and State Inmate Population Data

	Total Population	Caucasian	African American	Native American/ Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Hispanic	Other/ Unknown
Actual Federal Adult Inmate Population ²	158,081	27.3%	38.5%	2.6%	1.4%	N/A	30.2%	N/A
Actual State Adult Inmate Population ³	12,492	22.0%	61.0%	0.0%	1.0%	N/A	16.0 %	0.0 %

State Census and State Inmate Population Data

	Total Population	Caucasian	African American	Native American/ Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Hispanic	Other/ Unknown
State Census Estimate	9,289,000	53.5%	15.3%	0.7%	10.3%	0.1%	21.5%	2.4%
Actual State Adult Inmate Population ³	12,492	22.0%	61.0%	0.0%	1.0%	N/A	16.0%	0.0%

¹ Publicly available data obtained from the federal census for national and State populations as of April 1, 2020.

² Publicly available data of federally sentenced persons in custody of the Federal Bureau of Prisons, as of February 18, 2023.

³ Publicly available data produced by the New Jersey Department of Corrections concerning the State inmate population on January 4, 2022. It has been reported by the New Jersey Department of Corrections that the Fiscal Year 2023 average daily population was 10,332 people. However, that number has not been sorted by race and ethnicity.

DATA PROVIDED BY THE EXECUTIVE BRANCH

No data concerning P.L.2009, c.8 (C.45:28-1 et seq.) was provided by the Office of the Attorney General.

The following response was provided by the Juvenile Justice Commission:

The Juvenile Justice Commission (JJC) does not maintain or have direct access to detailed data on youth arrests, prosecutions, or adjudications (i.e. convictions). The JJC is not a prosecutorial agency. The JJC does not keep racial and ethnic data segregated by crimes for arrests, prosecutions, or adjudications for the juveniles committed to its care.

The Department of Corrections has made available to the public statistical data concerning the State inmate population categorized by race and ethnicity for 2022, which are reflected in the charts on page 2, and offenders by base offense for 2021 and 2022 in the following charts:

Offenders by Base Offense for 2021

Base Offense	Total		Male Offenders in Other Facilities		Youth Offenders		ADTC		Edna Mahan		Halfway Houses, County Jails, St. Francis	
	#	%	#	%	#	%	#	%	#	%	#	%
TOTAL OFFENDERS	12,808	100%	9,358	100%	1,321	100%	406	100%	404	100%	1,319	100%
Property Offenses	559	4%	362	4%	47	4%	0	0%	25	6%	125	9%

Offenders by Base Offense for 2022

Base Offense	Total		Male Offenders in Other Facilities		Youth Offenders		ADTC		Edna Mahan		Halfway Houses, County Jails, St. Francis	
	#	%	#	%	#	%	#	%	#	%	#	%
TOTAL OFFENDERS	12,492	100%	9,442	100%	1,139	100%	410	100%	408	100%	1,093	100%
Property Offenses	526	4%	375	4%	57	5%	0	0%	36	9%	58	5%

Note: In these tabulations, the base offense is the most serious offense at the time of admission. These figures reflect base or controlling offenses at admission only and do not include any offenses in addition to the base offense in the case of multiple sentences at admission. Property offenses include burglary, arson, theft, forgery, embezzlement, and receiving/possessing stolen property.

DATA PROVIDED BY THE JUDICIARY

No data concerning P.L.2009, c.8 (C.45:28-1 et seq.) was provided by the Administrative Office of the Courts, which is the agency within the Judiciary responsible for the administration of court processes, rules promulgation, and data collection.

DATED: MARCH 1, 2023