

SENATE, No. 3859

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MAY 15, 2023

Sponsored by:
Senator TROY SINGLETON
District 7 (Burlington)

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
17 System (NJWPS) or the New Jersey Criminal Justice Information
18 System (NJCJIS) in the files of the National Crime Information
19 Center (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
22 missing persons or wanted persons shall develop and implement a
23 protocol for the publishing and removal of the posting. The
24 protocol shall include a deadline of no more than six months for the
25 removal of a posting of a wanted person who has been arrested or
26 whose charges have been dismissed, or a missing person who has
27 been found.
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29 2. This act shall take effect immediately.
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32 STATEMENT
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34 This bill requires the State Police and local police departments
35 that use social media to post information regarding missing or
36 wanted persons to develop and implement a protocol for the posting
37 of that information and for the removal of the posting no later than
38 six months after the issue is resolved.

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

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46 caused by the persistence of outdated information posted by the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