ASSEMBLY, No. 5423

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED SEPTEMBER 10, 2026

Sponsored by:
Assemblyman JOE DANIELSEN
District 17 (Middlesex and Somerset)

SYNOPSIS

Prohibits using facial recognition technology as sole basis for establishing probable cause for arrest warrant.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning facial recognition technology and supplementing Title 52 of the Revised Statutes.

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

1. a. As used in this act:

"Facial recognition technology" means any technology that assists in identifying a person from an image or video based on the person's physical characteristics.

"Law enforcement agency" means any State, county, or municipal law enforcement agency, department, division, or instrumentality thereof that is statutorily empowered to act for the detection, investigation, arrest, conviction, detention, or rehabilitation of persons violating the criminal laws of the State.

b. A law enforcement agency shall not use the results of facial recognition technology as the sole basis to establish probable cause in an application to a judge for an arrest warrant.

2. This act shall take effect immediately.

STATEMENT

This bill prohibits law enforcement agencies from using the results of facial recognition technology as the sole basis to establish probable cause in an application to a judge for an arrest warrant.

The sponsor notes that law enforcement's use of facial recognition technology as the primary means of identifying suspects increases the risk of wrongful arrest. Studies have shown that facial recognition technology is less accurate when identifying people of color and women. Accordingly, overreliance on this technology by law enforcement agencies threatens to increase bias in the criminal justice system and undermine the integrity of the warrant process.

The sponsor intends for this bill to help prevent wrongful arrests by ensuring that law enforcement continues to use traditional identification methods to establish probable cause for arrest.