

**CHAPTER 79****SAFE AND SECURE COMMUNITIES PROGRAM****Authority**

N.J.S.A. 52:17B-168.

**Source and Effective Date**

R.2009 d.270, effective August 7, 2009.  
See: 41 N.J.R. 1978(a), 41 N.J.R. 3308(b).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 79, Safe and Secure Communities Program, expires on August 7, 2016. See: 43 N.J.R. 1203(a).

**Chapter Historical Note**

Chapter 79, Safe and Secure Communities Program, was adopted as emergency new rules R.1993 d.476, effective August 27, 1993 (to expire October 26, 1993). The provisions of R.1993 d.476 were readopted as R.1993 d.596, effective October 22, 1993. See: 25 N.J.R. 4511(a), 25 N.J.R. 5353(a).

Pursuant to Executive Order No. 66(1978), Chapter 79, Safe and Secure Communities Program, was readopted as R.1998 d.511, effective September 25, 1998. See: 30 N.J.R. 2999(a), 30 N.J.R. 3852(a).

Chapter 79, Safe and Secure Communities Program, was readopted as R.2004 d.159, effective March 24, 2004. See: 35 N.J.R. 4444(a), 36 N.J.R. 1953(a).

Chapter 79, Safe and Secure Communities Program, was readopted as R.2009 d.270, effective August 7, 2009. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. PURPOSE, SCOPE, DEFINITIONS****13:79-1.1 Purpose**

This chapter describes the grants available from the Safe Neighborhoods Services Fund pursuant to the Safe and Secure Communities Act and establishes guidelines for the receipt of program funds and procedures to ensure grantee accountability.

**13:79-1.2 Scope**

The rules contained in this chapter shall govern the award of law enforcement personnel grants from the Safe Neighborhoods Services Fund pursuant to the Safe and Secure Communities Act.

Amended by R.1998 d.511, effective October 19, 1998.  
See: 30 N.J.R. 2999(a), 30 N.J.R. 3852(a).

Deleted “and law enforcement equipment grants” following “personnel grants”.

**13:79-1.3 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Act” means the Safe and Secure Communities Act, P.L. 1993, c.220 (N.J.S.A. 52:17B-159 et seq.).

“Baseline regular complement of officers and other law enforcement personnel” means the number of police officers and other law enforcement personnel on a municipality’s force as of December 31, 1993.

“Eligible municipality” means a municipality that applied for and was awarded an initial grant for a law enforcement project under the Act during the first two program years following August 2, 1993, even if the municipality did not immediately accept its initial grant award.

“Fringe benefits” means payments made by the employer for an employee’s retirement, social security, health and dental insurance, workers compensation, and unemployment, disability and survivor’s insurance.

“Fund” means the Safe Neighborhoods Services Fund.

“Law enforcement project” or “project” means a project employing police officers for which a grant is awarded pursuant to this program.

“Other law enforcement personnel” means non-police employees who enhance a project’s law enforcement capacity by performing paperwork and related support services, thereby allowing police officers to devote more time to direct community policing duties.

“Police officers” or “officers” means the regular, sworn, appointed municipal officers who have the full power to arrest and who regularly exercise police powers regarding the enforcement of the general criminal and motor vehicle laws of this State.

“Program” means the “Safe and Secure Communities Program.”

Amended by R.1998 d.511, effective October 19, 1998.  
See: 30 N.J.R. 2999(a), 30 N.J.R. 3852(a).

Added “Baseline regular complement of officers and other law enforcement personnel”; deleted “Commissioner” and “Law enforcement equipment” or “equipment”; and rewrote “Eligible municipality”.

Amended by R.2009 d.270, effective September 8, 2009.  
See: 41 N.J.R. 1978(a), 41 N.J.R. 3308(b).

Added definition “Police officers”.

## SUBCHAPTER 2. THE SAFE AND SECURE COMMUNITIES PROGRAM

### 13:79-2.1 Program objectives

The Safe and Secure Communities Program is designed to provide municipalities with funding for additional law enforcement personnel to adopt community-policing strategies and other innovative community-police based strategies to prevent crime, to encourage community participation in law enforcement efforts and to move toward intelligence-led, data-driven policing strategies and other innovative strategies to combat crime.

Amended by R.2009 d.270, effective September 8, 2009.  
See: 41 N.J.R. 1978(a), 41 N.J.R. 3308(b).  
Rewrote the section.

### 13:79-2.2 Fund use and limitations

(a) Of the monies deposited in the fund, 100 percent shall be available for approved law enforcement projects exclusive of the allocation to the Attorney General to enable the Division of Criminal Justice to provide technical and operational assistance to grantees.

(b) Notwithstanding any law or regulation to the contrary, a municipality may expend grant moneys in the local budget year in which they are received.

Amended by R.1998 d.511, effective October 19, 1998.  
See: 30 N.J.R. 2999(a), 30 N.J.R. 3852(a).

Rewrote (a); deleted former (b); and recodified former (c) as (b).

### 13:79-2.3 Notification and award of funds

Subject to the availability of funds, upon approval of an application, a successive project grant shall be awarded to an eligible municipality to commence after the termination of its prior grant.

Amended by R.1998 d.511, effective October 19, 1998.  
See: 30 N.J.R. 2999(a), 30 N.J.R. 3852(a).  
Rewrote the section.

### 13:79-2.4 Application for funds

All municipalities applying for funds for law enforcement personnel grants must submit proposals to the Division of Criminal Justice by the deadline dates specified in the notification letter from the Division of Criminal Justice.

Amended by R.1998 d.511, effective October 19, 1998.  
See: 30 N.J.R. 2999(a), 30 N.J.R. 3852(a).  
Rewrote the section.

### 13:79-2.5 Confidentiality

An application for a grant under this program and any supporting documentation are not public records for purposes of P.L. 1963, c.73 (N.J.S.A. 47:1A-1 et seq.). These documents are confidential and shall not be released except to law enforcement personnel in connection with their official duties.

Recodified from N.J.A.C. 13:79-2.6 by R.1998 d.511, effective October 19, 1998.

See: 30 N.J.R. 2999(a), 30 N.J.R. 3852(a).

Former N.J.A.C. 13:79-2.5, Application components for initial program grants, was repealed.

### 13:79-2.6 (Reserved)

Recodified to N.J.A.C. 13:79-2.5 by R.1998 d.511, effective October 19, 1998.

See: 30 N.J.R. 2999(a), 30 N.J.R. 3852(a).  
Section was “Confidentiality”.

## SUBCHAPTER 3. PROGRAM GRANTS

### 13:79-3.1 Project grants

(a) An eligible municipality may apply to the Division of Criminal Justice for a grant from the fund to be used exclusively to pay the salaries of police officers and other law enforcement personnel deployed in a law enforcement project, which is designed to meet the objectives of the program, but in no event shall the amount of a successive grant exceed a municipality’s initial grant award amount.

(b) A municipality which receives a grant for a law enforcement project shall be responsible for paying the fringe benefits of all police officers or other law enforcement personnel hired, which shall be deemed the local cash match. Requests for overtime funds will not be considered.

(c) A municipality shall agree, as a condition of a grant awarded pursuant to this Act, not to reduce its baseline regular complement of police officers and other law enforcement personnel, and any officers and any other law enforcement personnel funded by a Safe and Secure Communities grant.

(d) A municipality which receives a grant for a law enforcement project shall be responsible for paying all costs in excess of the grant award.