

4. The Victims of Crime Compensation Board administers the Criminal Injuries Compensation Act. The Board provides Statewide victim-witness programs and information and conducts a victim counseling service;

5. The Juvenile Justice Commission is responsible for the management and operation of all State facilities and programs for juveniles involved in the juvenile justice system, adopts a Statewide Master Plan for effective provision of juvenile justice services and sanctions at the State, county and local level, administers the State/Community Partnership Grant Program, establishes county youth services commissions to implement the Partnership, and adopts standards for county juvenile detention facilities and programs; and

6. The Office of Homeland Security and Preparedness was established by Executive Order No. 5 (Corzine 2006). Included in the Office are the former Office of Counter Terrorism and the Domestic Security Preparedness Task Force. The Office of Homeland Security and Preparedness is responsible for planning, overseeing and distributing discretionary State and Federal homeland security and preparedness funding and is designated as the State Administrative Agency for all Federal homeland security funding. The Office of Homeland Security and preparedness is the central State agency responsible for gathering and disseminating intelligence and information relating to counterterrorism to other law enforcement agencies. The main telephone number of the Office is (609) 584-4000. To report suspicious activity the public should call 1-866-4-SAFE-NJ (1-866-472-3365).

Amended by R.2007 d.161, effective April 19, 2007.  
See: 39 N.J.R. 2124(a).

In (a)2, substituted "State Ethics Commission" for "Executive Commission on Ethical Standards"; in (a)4, deleted "and" at the end; in (a)5, substituted "; and" for the period at the end; and added (a)6.

---

## SUBCHAPTER 2. (RESERVED)

---

## SUBCHAPTER 3. CONFIDENTIALITY OF RECORDS

### 13:1E-3.1 Scope and applicability

The rules in this subchapter apply to the Department of Law and Public Safety and all divisions and agencies in the Department, including those agencies allocated to the Department to satisfy the requirements of Article V, Section 4, Paragraph 1 of the New Jersey Constitution, commonly known as "in but not of" agencies.

### 13:1E-3.2 Records designated confidential

(a) In addition to records designated as confidential pursuant to the provisions of N.J.S.A. 47:1A-1 et seq., as amended and supplemented, any other law, regulation

promulgated under the authority of any statute or Executive Order of the Governor, resolution of both houses of the Legislature, Executive Order of the Governor, Rules of Court, or any Federal law, Federal regulation or Federal order, the following records shall not be considered government records subject to public access pursuant to N.J.S.A. 47:1A-1 et seq., as amended and supplemented:

1. Standard Operating Procedures and training materials;
2. Records concerning background investigations or evaluations for public employment, appointment to public office or licensing, whether open, closed or inactive;
3. Records which may reveal the identity of a confidential informant, a confidential source, a citizen informant, or an agency's surveillance, security or investigative techniques or procedures or undercover personnel;
4. Records relating to or which form the basis of discipline, discharge, promotion, transfer, employee performance, employee evaluation or other related activities, whether open, closed or inactive, except for the final agency determination;
5. That portion of any inventory of State and local emergency resources compiled and any policies or plans compiled by an agency pertaining to the mobilization, deployment, or tactical operations involved in responding to emergencies, including employee emergency contact information, which, if disclosed, would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of terrorism or sabotage;
6. Records pertaining to the collective negotiations process; and
7. The duty assignment of an individual law enforcement officer or any personally identifiable information that may reveal or lead to information that may reveal such duty assignment, including, but not limited to, overtime data pertaining to an individual law enforcement officer.

---

## SUBCHAPTER 4. RULEMAKING

### 13:1E-4.1 Applicability of rules

This subchapter applies to all rules proposed under the authority of the Attorney General or under the authority of a division, office or board in the Department of Law and Public Safety that is subject to the supervision of the Attorney General. Agencies allocated to the Department of Law and Public Safety to fulfill the purposes of N.J. Const., Art. 5, Sec. 4, Par. 1, which are not subject to the supervision of the Attorney General, may incorporate this rule by reference into rules of practice adopted by such agencies.

**13:1E-4.2 Additional time for public comments**

(a) If sufficient public interest is demonstrated within 30 days of the publication of a rulemaking proposal in the New Jersey Register, the proposing agency shall provide an additional 30 days for submission of comments on the proposal. Agencies that provide an initial comment period of at least 60 days in the notice of proposal may elect to extend the comment period beyond 60 days but are not required by this rule to do so.

(b) Public interest in additional time to submit comments shall be determined by the agency based on written requests to the address to which comments are to be sent contained in the proposal. Public interest in additional time shall be sufficient to require an additional 30 days to submit comments if written comments received within 30 days of publication of the proposal in the New Jersey Register request additional time to present data, arguments or views that raise a substantial issue as to the impact of the proposal on the regulated community or the general public that has not been anticipated by the agency. Persons requesting additional time shall specify the impact or issue to be addressed.

**13:1E-4.3 Public hearings**

(a) The agency shall hold a public hearing on a rulemaking proposal at the request of a committee of the Legislature, or a governmental agency or subdivision, or if sufficient public interest in a public hearing is demonstrated within 30 days of the publication of the proposal in the New Jersey Register.

(b) Public interest in holding a public hearing shall be determined by the agency based on written requests to the address to which comments are to be sent contained in the proposal. Public interest in holding a public hearing shall be sufficient if:

1. At least 50 persons submit written requests to hold a public hearing to present data, arguments or views that raise a substantial issue as to the impact of the proposal on the regulated community or the general public that has not been anticipated by the agency; and

2. No other public hearing on the proposal has been scheduled or held by the agency under this rule or other applicable law or rule.

(c) For the purposes of (b)1 above, a professional organization or law firm that submits a request for a public hearing

on behalf of a group of interested parties shall be considered one person.

(d) Any public hearing held under (a) above may be held in conjunction with an open public meeting of the proposing agency or as otherwise determined by the agency, consistent with the requirements of N.J.A.C. 1:30-5.5. The agency shall not be required to hold more than one public hearing on any proposal.

**13:1E-4.4 Additional public notice**

(a) In addition to publication of the proposal in the New Jersey Register, agencies shall provide additional notice of the proposal using the following methods:

1. Distribution of a press release to the news media maintaining a press office in the State House Complex;

2. Posting the proposal or a summary of the substance of the proposal on the agency's website during the comment period, or if the agency does not maintain its own website, on the Department of Law and Public Safety website; and

3. One or more of the following methods:

i. Publication of the full text of the proposal or a summary of the substance of the proposal in a trade, industry or government publication generally used by the agency for distribution of official notices and information;

ii. Mailing of the full text of the proposal to a distribution list either electronically or through regular mail if the circumstances in (a)3i above do not apply and the agency uses a distribution list to communicate with the regulated community and interested parties generally;

iii. Publication of a notice summarizing the substance of the proposal and the time and method of submitting public comments in at least two newspapers of general circulation if the circumstances in (a)3i or ii above do not apply and the agency determines that the cost is justified; or

iv. Distribution of a general press release summarizing the substance of the proposed action if none of the circumstances in (a)3i, ii or iii above apply.