

CHAPTER 57

UNIFORM CRIME REPORTING SYSTEM

Authority

N.J.S.A. 52:17B-5.1.

Source and Effective Date

R.2004 d.431, effective October 20, 2004.
Sec: 36 N.J.R. 3637(a), 36 N.J.R. 5163(a).

Chapter Expiration Date

Pursuant to Executive Order No. 1(2010), the chapter expiration date is extended from April 18, 2010 until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and until such time as the extended regulation or rule is readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

Chapter Historical Note

Chapter 57, Uniform Crime Reporting System, was adopted as R.1976 d.397, effective December 9, 1976. See: 8 N.J.R. 425(c), 9 N.J.R. 26(b). Pursuant to Executive Order No. 66(1978), Chapter 57 expired on May 16, 1999.

Chapter 57, Uniform Crime Reporting System, was adopted as new rules by R.1999 d.215, effective July 19, 1999. See: 31 N.J.R. 837(a), 31 N.J.R. 1939(a).

Chapter 57, Uniform Crime Reporting System, was readopted as R.2004 d.431, effective October 20, 2004. See: Source and Effective Date See, also, section annotations.

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 57, Uniform Crime Reporting System, was scheduled to expire on April 18, 2010. See: 41 N.J.R. 4189(a).

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SUBCHAPTER 1. GENERAL PROVISIONS

13:57-1.1 Law enforcement agencies defined

(a) Law enforcement agencies include all law enforcement agencies created by the governing municipal body and promulgated by statute:

1. Municipal full-time police department:
 - i. At least one member of said agency employed full-time, minimum 40 hours per week, with person(s) primary occupation being law enforcement officer;
 - ii. Said agency responsible for and providing 24-hour police service when requested.
2. County law enforcement agencies:

- i. County prosecutor;
 - ii. Sheriff;
 - iii. Park police; and
 - iv. County police agencies in Bergen, Hudson, and Union Counties.
3. State law enforcement agencies:
 - i. Department of Law and Public Safety:
 - (1) Division of State Police;
 - (2) Division of Criminal Justice; and
 - (3) Office of Weights and Measures of the Division of Consumer Affairs.
 - ii. Department of Environmental Protection:
 - (1) Division of Fish and Wildlife;
 - (2) Division of Parks and Forestry.
 - iii. Department of Corrections.
 - iv. Department of Human Services.
 - v. Palisades Interstate Park Commission.
 - vi. New Jersey Transit Police Department.
 4. Part-time municipal police departments:
 - i. Said departments having no full-time police officer (40 hours per week), whose primary occupation is other than law enforcement officer, and department is not committed or able to provide 24-hour service.

Amended by R.1994 d.250, effective May 16, 1994.

See: 26 N.J.R. 905(a), 26 N.J.R. 2139(a).

Amended by R.2004 d.431, effective November 15, 2004.

See: 36 N.J.R. 3637(a), 36 N.J.R. 5163(a).

In (a)3ii(1), deleted “, Game” following “Fish”.

Case Notes

Police reports concerning alleged beating of citizen by law enforcement officers did not constitute “public records,” within meaning of Right to Know Law. *Asbury Park Press, Inc. v. Borough of Seaside Heights*, 246 N.J.Super. 62, 586 A.2d 870 (L.1990).

13:57-1.2 Reports to Attorney General (State Police to act as collecting agency); types of forms; by whom; when submitted

(a) Municipal full-time police department as defined in these rules will submit on a monthly basis and forward by the seventh day following the close of the reporting period, the following enumerated reports:

1. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365);
2. Return A—Supplement, page 1 (N.J.-UCR 366);
3. Return A—Supplement, page 2 (N.J.-UCR 366A);

4. Age, Sex, Race and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370);

5. Age, Sex, Race and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A);

i. The following reports will be submitted only when the specific offenses involved have occurred in the jurisdiction of a municipal full-time police department:

(1) Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

(2) Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

(3) Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

(4) Supplementary Arson Report (N.J.-UCR 373);

(5) Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662).

ii. The following report shall be submitted annually, but no later than November 7 in each reporting year:

(1) Number of Full-time Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).

6. Offense data received from other agencies:

i. All part I offenses, part I and part II arrests and dispositions, and all other allied supplementary information (including offense clearance data) that is received by municipal full-time police departments, either from a State or county law enforcement (except Essex County park police) or quasi law enforcement agency, which shall include private, State and county college police agencies and bi-state port authority police agencies (except the Port Authority of New York and New Jersey police), will be reported in their municipal crime data when submitted on the prescribed monthly UCR forms.

7. The foregoing reports shall be filed by all municipal full-time police departments whether or not the activity required by the foregoing forms has occurred.

(b) County law enforcement agencies rules include:

1. As defined in these rules, county law enforcement agencies (except Essex County park police) will submit on a monthly basis and forward by the seventh day following the close of reporting period the following enumerated reports:

i. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

ii. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370);

iii. Age, Sex, Race, and Ethnic Origin of Persons Arrested (Under 18 years of age) (N.J.-UCR 370A);

iv. Supplementary Homicide Report and Report of Police Officers Killed in the Line of Duty (S.P. 46). This report shall only be submitted by the offices of the county prosecutors;

v. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662). This report shall be submitted only when investigating a criminal offense involving an assault firearm;

vi. The following report shall be submitted annually, but not later than November 7 in each reporting year:

(1) Number of Full-time Police Department Employees as of October 31 of reportable year (N.J.-UCR 369).

vii. The foregoing reports shall be filed by all county law enforcement agencies whether or not the activity required by the foregoing forms has occurred;

viii. The following county law enforcement agencies, that is, prosecutors, sheriffs, Bergen, Hudson, and Union County police agencies, county park police (except Essex County park police), shall for UCR submitting purposes report in a timely manner all part I offenses (murder, rape, robbery, assault, burglary, larceny-theft, motor vehicle theft, and arson) investigated by or reported to their respective agency, and all allied part I supplementary information (including offense clearance, arrest and disposition data) to the jurisdictional full-time municipal police department, or if no full-time department, shall report to the Division of State Police at the State Police station having jurisdiction in that municipality.

(c) State law enforcement agencies rules are:

1. As defined in these rules, State law enforcement agencies (except Division of State Police, Palisades Interstate Park Commission and New Jersey Transit Police Department) will submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

ii. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370);

iii. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A);

iv. The following report shall be submitted annually, but no later than November 7 in each reporting year:

(1) Number of Full-time Police Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).

v. The foregoing reports shall be filed by all State law enforcement agencies whether or not the activity required by the foregoing forms has occurred;

vi. The following State law enforcement agencies, that is, Division of Criminal Justice, Office of Weights and Measures, Division of Fish and Wildlife, Division of Parks and Forestry, Department of Corrections, and the Department of Human Services, (except Division of State Police, Palisades Interstate Park Commission and New Jersey Transit Police Department), shall for UCR submitting purposes report all part I offenses (murder, rape, robbery, assault, burglary, larceny-theft, motor vehicle theft, and arson) investigated by or reported to their respective agency, and all allied part I supplementary information (including offense clearance, arrest, and disposition data) to the jurisdictional full-time municipal police department, or if no full-time department, shall report to the Division of State Police at the State Police station having jurisdiction in that municipality.

(d) Part-time municipal police departments rules are:

1. As defined in these rules, part-time municipal police departments will submit on a monthly basis and forward by the third day following the close of the reporting period, to the Division of State Police at the State Police station having jurisdiction in that municipality, the following enumerated reports:

i. Special Police Report of Part I Offenses and Persons Arrested (S.P. 27-UCR).

(e) Other police and security agencies rules are:

1. Bi-state port authorities (except the Port Authority of New York and New Jersey police), bi-state agencies, colleges, universities and all other State, county and private educational facilities employing police or security personnel shall report all part I offenses (that is, murder, rape, robbery, assault, burglary, larceny-theft, motor vehicle theft, and arson) investigated by or reported to their respective agency, and all allied supplementary information (including offense clearance data and all part I and part II arrest and disposition data) to the full-time municipal police department where offense(s) occurred, or where no full-time police department exists, the offense and all part I and part II arrest and disposition data shall be reported to the jurisdictional State Police station responsible for enforcement in that municipality.

2. In addition to the notification of State or municipal police agencies on certain offense(s), arrest(s) and disposition(s), the agencies in (e)1 above shall, when requested by the Attorney General or the Division of State Police, submit on reports specified by the State Police Uniform Crime Reporting Unit all offense and arrest data occurring in their respective facilities and/or jurisdictions. These reports shall be forwarded to the Division of State Police, Uniform Crime Reporting Unit.

3. The agencies in (e)1 above will submit, directly to the Uniform Crime Reporting Unit, and forward by the

seventh day following the close of the reporting period the following enumerated report:

i. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662). Each agency enumerated above will submit one report outlining, by municipality, all criminal offenses involving assault firearms investigated by said agency.

Amended by R.1994 d.250, effective May 16, 1994.

See: 26 N.J.R. 905(a), 26 N.J.R. 2139(a).

Amended by R.2004 d.431, effective November 15, 2004.

See: 36 N.J.R. 3637(a), 36 N.J.R. 5163(a).

In (c), inserted "and New Jersey Transit Police Department" following "Palisades Interstate Park Commission" in the introductory paragraph of 1; in (e), inserted "bi-state agencies," preceding "colleges," and inserted ", county" following "other State" in 1, and inserted "or the Division of State Police" following "when requested by the Attorney General" in 2.

Case Notes

Police reports concerning alleged beating of citizen by law enforcement officers did not constitute "public records," within meaning of Right to Know Law. *Asbury Park Press, Inc. v. Borough of Seaside Heights*, 246 N.J.Super. 62, 586 A.2d 870 (L.1990).

13:57-1.3 Exceptions

(a) Exceptions concerning county law enforcement agencies include:

1. In order to evaluate the volume and types of offense data investigated by county park agencies, the Essex County park police shall submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred.

ii. Return A—Supplement, page 1 (N.J.-UCR 366):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred. Report will be submitted for each individual municipality wherein property was stolen or recovered in connection with part I offenses.

iii. Return A—Supplement, page 2 (N.J.-UCR 366A):

(1) Report will be submitted for each individual municipality wherein analysis of part I offenses and stolen property data is listed.

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370):

(1) All adult arrests made within the county jurisdictional boundaries will be submitted on one arrest report.

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A):

(1) All juvenile arrests made within the county jurisdictional boundaries will be submitted on one arrest report.

vi. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662):

(1) One report will be submitted outlining, by municipality, all criminal offenses involving assault firearms investigated by Essex County Park Police. This report will only be submitted when the agency investigates a criminal offense involving an assault firearm.

vii. The following reports will be submitted for each municipality only when those specific offense(s) occur:

(1) Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

(2) Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

(3) Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

(4) Supplementary Arson Report (N.J.-UCR 373).

viii. The following report shall be submitted annually, but no later than November 7 in each reporting year:

(1) Number of Full-time Police Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).

(b) Exceptions concerning State law enforcement agencies include:

1. Division of State Police: State Police having jurisdiction on toll roads, interstate highways and all other highways where the State Police have the primary enforcement responsibility will be the reporting agency for all UCR offense, arrest and disposition data. Where no full-time municipal police department exists, it will be the responsibility of the jurisdictional State Police station to report all offense, arrest and disposition data occurring in that municipality.

2. Palisades Interstate Park Commission: It is the responsibility of the Palisades Interstate Park Commission to submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred within the jurisdiction of the Commission.

ii. Return A—Supplement, page 1 (N.J.-UCR 366):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred within the jurisdiction of the Commission. Report will be submitted for each individual municipality wherein property was stolen or recovered in connection with part I offenses which have occurred within the jurisdiction of the Commission.

iii. Return A—Supplement, page 2 (N.J.-UCR 366A):

(1) Report will be submitted for each individual municipality wherein analysis of part I offenses and stolen property are listed which have occurred within the jurisdiction of the commission.

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370):

(1) All adult arrests made within the county jurisdictional boundaries of the commission will be submitted on one arrest report.

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A):

(1) All juvenile arrests made within the county jurisdictional boundaries of the commission will be submitted on one arrest report.

vi. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662). One report will be submitted outlining, by municipality, all criminal offenses involving assault firearms that were investigated by the Commission during the reporting period.

vii. The following reports will be submitted for each municipality only when those specific offense(s) occur within the jurisdiction of the commission:

(1) Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

(2) Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

(3) Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

(4) Supplementary Arson Report (N.J.-UCR 373).

viii. The following report shall be submitted annually, but no later than November 7 of each reporting year:

(1) Number of Full-time Police Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).

3. New Jersey Transit Police Department: It is the responsibility of the New Jersey Transit Police Department to submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly County of Offenses Known to Police (N.J.-UCR 365):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred within the jurisdiction of the Transit Police.

ii. Return A—Supplement, page 1 (N.J.-UCR 366):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred within the jurisdiction of the Transit Police. Report will be submitted for each individual municipality wherein property was stolen or recovered in connection with part I offenses which have occurred within the jurisdiction of the Transit Police.

iii. Return A—Supplement, page 2 (N.J.-UCR 366A):

(1) Report will be submitted for each individual municipality wherein analysis of part I offenses and stolen property are listed which have occurred within the jurisdiction of the Transit Police.

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370):

(1) All adult arrests made within the county jurisdictional boundaries of the Transit Police will be submitted on one arrest report.

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A):

(1) All juvenile arrests made within the county jurisdictional boundaries of the Transit Police will be submitted on one arrest report.

vi. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662). One report will be submitted outlining, by municipality, all criminal offenses involving assault firearms that were investigated by the Transit Police during the reporting period.

vii. The following reports will be submitted for each municipality only when those specific offense(s) occur within the jurisdiction of the Transit Police:

(1) Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

(2) Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

(3) Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

(4) Supplementary Arson Report (N.J.-UCR 373).

viii. The following report shall be submitted annually, but no later than November 7 of each reporting year:

(1) Number of Full-time Police Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).

(c) Exceptions concerning bi-state port authorities include:

I. It is the responsibility of the Port Authority of New York and New Jersey to submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365);

(1) Report will be submitted for each individual municipality wherein a part I offense occurred.

ii. Return A—Supplement, page 1 (N.J.-UCR 366):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred. Report will be submitted for each individual municipality wherein property was stolen or recovered in connection with part I offenses.

iii. Return A—Supplement, page 2 (N.J.-UCR 366A):

(1) Report will be submitted for each individual municipality wherein analysis of part I offenses and stolen property data is listed.

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370):

(1) All adult arrests made within each county jurisdictional boundary will be submitted on one arrest report.

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A):

(1) All juvenile arrests made within each county jurisdictional boundary will be submitted on one arrest report.

vi. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662):

(1) One report will be submitted outlining, by municipality, all criminal offenses involving assault firearms investigated by the Port Authority of New York and New Jersey Police. This report will only be submitted when the agency investigates a criminal offense involving an assault firearm.

vii. The following reports will be submitted for each municipality only when those specific offense(s) occur:

(1) Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

(2) Supplementary Homicide, 1b Manslaughter (N.J.-UCR 367A);

(3) Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

(4) Supplementary Arson Report (N.J.-UCR 373).

viii. The following report shall be submitted annually, but no later than November 7 in each reporting year:

(1) Number of Full-time Police Department Employees assigned to New Jersey as of October 31 of Reportable Year (N.J.-UCR 369).

(d) The uniform crime report forms identified and described in N.J.A.C. 13:57-1.2 and 1.3 shall be used by the Uniform Crime Reporting Unit of the Division of State Police for purposes of compliance with the provisions of N.J.S.A. 52:17B-1 et seq., and such working documents shall be maintained as confidential by the Division of State Police and are not public records.

(e) Nothing in these regulations shall preclude the Attorney General or Division of State Police for requiring the submission or deletion of any information that may be deemed necessary to maintain a viable and current uniform crime reporting system.

(f) The Attorney General or the Division of State Police shall have the right to choose the manner in which this information will be reported and submitted to the Uniform Crime Reporting Unit.

Amended by R.1994 d.250, effective May 16, 1994.

See: 26 N.J.R. 905(a), 26 N.J.R. 2139(a).

Amended by R.2004 d.431, effective November 15, 2004.

See: 36 N.J.R. 3637(a), 36 N.J.R. 5163(a).

In (b), added 3.