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N.J. attorney general limits when prosecutors can use jailhouse informants

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New Jersey prosecutors may only use jailhouse informants as witnesses if they receive approval from supervisors, according to new rules from the state attorney general's office.

A jailhouse informant is someone who overheard a fellow inmate confess to a crime or say something suggesting their guilt. While they've been used in New Jersey trials, the informants by definition did not witness the crime in question, and some states have recently passed laws restricting the practice.

"Our mission as prosecutors and members of law enforcement is not simply to rack up convictions, but to ensure that truth and justice prevail," state Attorney General Gurbir Grewal said in a statement.

Because of the risks jailhouse informants "potentially present as witnesses," the new rules "will ensure that best practices are followed," he said.

Grewal's directive, which has the force of law, was issued Friday.

Under the rules, prosecutors must generally tell their county's top prosecutor about a potential informant's criminal history, times the person changed their story and any prior testimony the informant has given, among other details.

Only then can the county prosecutor, or a top official in the state attorney general's office, decide whether the witness is worth calling.

Prosecutors should also share the same information with the defense, according to the directive.