

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1463

STATE OF NEW JERSEY

DATED: FEBRUARY 14, 2022

The Assembly Judiciary Committee reports favorably Assembly Bill No. 1463.

This bill clarifies that a person is guilty of a crime of the fourth degree who purposely or knowingly violates a condition of an order entered pursuant to pretrial release requiring that the eligible defendant shall avoid contact with an alleged victim of a crime, or, be placed in a pretrial home supervision capacity, when the conduct that constitutes the violation could also constitute a crime or a disorderly persons offense. A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. Otherwise a violation of a condition ordered under the provision of the pretrial release law is a disorderly persons offense. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both.

The bill further amends Section 10 of P.L.1991, c.261 (C.2C:25-26), concerned with conditions of pretrial release in domestic violence cases, to clarify that it shall be the duty of the prosecutor to provide to the victim a copy of the written court order releasing the defendant and containing the court's directives specifically restricting the defendant's ability to have contact with persons named in the order. N.J.S.2C:25-26.1 currently provides that whenever a defendant charged with a crime or an offense involving domestic violence is released from custody the prosecuting agency shall notify the victim. This bill ensures that the prosecutor is responsible for notifying a victim at the time of release for present charges and any other time of release.

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.