

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1475

with committee amendments

# STATE OF NEW JERSEY

DATED: OCTOBER 17, 2022

The Assembly Judiciary Committee reports favorably Assembly Bill No. 1475 with committee amendments.

As amended by the committee, this bill would require that in a domestic violence proceeding in the Family Part of the Chancery Division of the Superior Court the court would consider information related to coercive control. The bill defines “coercive control” to mean a pattern of behavior against a person protected under the “Prevention of Domestic Violence Act of 1991,” P.L.1991, c.261 (C.2C:25-17 et al.) that in purpose or effect unreasonably interferes with a person’s free will and personal liberty. The bill provides that “coercive control” includes, but is not limited to, unreasonably engaging in any of the following:

- (a) isolating the person from friends, relatives, transportation, medical care, or other source of support;
- (b) depriving the person of basic necessities;
- (c) monitoring the person’s movements, communications, daily behavior, finances, economic resources, or access to services;
- (d) compelling the person by force, threat, or intimidation, including, but not limited to, threats based on actual or suspected immigration status;
- (e) threatening to make or making baseless reports to the police, courts, the Department of Child Protection and Permanency (DCPP), the Board of Social Services, Immigration and Customs Enforcement (ICE), or other parties;
- (f) name-calling, degradation, and demeaning the person frequently;
- (g) threatening to harm or kill the individual’s relative or pet; or
- (h) threatening to take the individual’s children away.

As amended, the bill permits a court to consider coercive control as a factor in a domestic violence proceeding pursuant to N.J.S.A.2C:25-28 and 29.

This bill is modeled upon Hawaii and California laws.

This bill was prefiled 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.

COMMITTEE AMENDMENTS:

The bill was amended to:

- (1) add new sections 1 and 2, which amends sections 12 and 13 of P.L.1991, c.261 (C.2C:25-28 and C.2C:25-29) to require a court to consider coercive control as a factor in a domestic violence proceeding in the Family Part of the Chancery Division of the Superior Court; and
- (2) omit original section 1 in its entirety.