

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

[First Reprint]

## ASSEMBLY, No. 1475

with committee amendments

# STATE OF NEW JERSEY

DATED: MARCH 9, 2023

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 1475 (1R).

As amended by the committee, this bill would require the court to consider information related to coercive control in a domestic violence proceeding in the Family Part of the Chancery Division of the Superior Court. 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) threatening to harm or kill the individual’s relative or pet; or
- (g) threatening to deny or interfere with an individual’s custody or parenting time, other than through enforcement of a valid custody arrangement or court order pursuant to current law including, but not limited to, an order issued pursuant to Title 9 of the Revised Statutes.

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 Committee amended the bill to:

(1) remove from the list of actions that constitute coercive control “name calling, degradation, and demeaning the person frequently;”

(2) changes language from “threatening to take the individuals child away” to “threatening to deny or interfere with an individual’s custody or parenting time, other than through enforcement of a valid custody arrangement or court order pursuant to current law including, but not limited to, an order issued pursuant to Title 9 of the Revised Statutes”; and

(3) remove section 2 of the bill, which amends section 12 of P.L.1991, c.261 (C.2C:25-28).