

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### [Second Reprint] **ASSEMBLY, No. 1475**

with committee amendments

# STATE OF NEW JERSEY

DATED: MARCH 23, 2023

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 1475 (2R).

As amended, this bill requires the court to consider information related to coercive control in a domestic violence proceeding.

Under current law, the court is required to consider certain enumerated factors when determining whether to issue a domestic violence restraining order. Under the bill, the court also is required to consider whether there is a pattern of coercive control. A pattern of coercive control exists if an individual, in purpose or effect, continually and unreasonably interferes with, threatens, or exploits a person's liberty, freedom, bodily integrity, or human rights of another individual. Under the bill, the court is required to specifically consider evidence of the need for protection from immediate danger or the prevention of further abuse.

As amended the bill requires the court, if it finds that one or more factors of coercive control are more or less relevant than others, to make specific written findings of fact and conclusions of law on the reasons why the court reached that conclusion.

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 Division of Child Protection and Permanency (DCPP) within the Department of Children and Families (DCF), 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;

(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; or

(h) any other factors or circumstances the court deems relevant or material.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- clarify what a pattern of coercive control is for the purpose of the court determining the necessity of issuing a restraining order;
- require the court, if it finds that one or more factors of coercive control are more or less relevant than others, to make specific written findings of fact and conclusions of law on the reasons why the court reached that conclusion; and
- add “any other factors or circumstances the court deems relevant or material” to the list of what may constitute coercive control.

FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.