

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE, No. 2642

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 27, 2022

The Senate Judiciary Committee reports favorably Senate Bill No. 2642, with committee amendments.

Pursuant to the New Jersey “uniform criminal extradition law,” N.J.S.2A:160-9 et seq., the Governor is permitted to surrender, upon demand of the executive authority of any other state, any person located in this State charged in such other state with committing an act in this State, or in a third state, intentionally resulting in a crime occurring in the other state. See, e.g., In re Application of Mahler, 177 N.J. Super. 337 (App. Div.), certif. denied, 87 N.J. 349 (1981) (corporate employees illegally dumping hazardous waste near New Jersey river which polluted river downstream in Pennsylvania extradited to that state after charged there for criminal polluting). This bill would restrict the Governor’s discretionary extradition authority under the following circumstances:

- the person is charged in the state whose executive authority is making the demand with providing, receiving, assisting in providing or receiving, providing material support for, or traveling to obtain reproductive health care services that are permitted under the laws of this State, including on any theory of vicarious, joint, several or conspiracy liability; and

- the person was not in the state whose executive authority is making the demand at the time of the commission of the alleged crime and has not fled therefrom.

The bill defines “reproductive health care services” as “all medical, surgical, counseling, or referral services relating to the human reproductive system including, but not limited to, services relating to pregnancy, contraception, or termination of a pregnancy.”

The committee amendments to the bill:

- more clearly describe the circumstances under which the Governor would not exercise any authority to extradite a person back to the state of the demanding executive authority, as explained above; and

- revise the bill’s title and synopsis to more accurately reflect the changes made by the amendments.