

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 197

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 15, 2026

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 197.

This bill, as amended, permits a prosecutor to file a motion for the pretrial detention of an eligible defendant for contempt of an order entered under the “Victim’s Assistance and Survivor Protection Act” (VASPA), P.L.2015, c.147 (2C:14-13 et al.).

Under current law, a prosecutor is permitted to file a motion for the pretrial detention of a defendant for certain crimes or offenses under the Criminal Justice Reform Act (CJR), P.L.2014, c.31 (C.2A:162-15 et al.), including a contempt violation of an order under the “Prevention of Domestic Violence Act of 1991,” (PDVA), P.L.1991, c.261 (C.2C:25-17 et seq.). Under the contempt statute, N.J.S.2C:29-9, a violation of an order under PDVA and VASPA are treated the same; a person is guilty of a crime of the fourth degree if that person purposely or knowingly violates any provision in an order entered under PDVA or VASPA, when the conduct which constitutes the violation could also constitute a crime or a disorderly persons offense. In all other cases, a person is guilty of a disorderly persons offense if that person purposely or knowingly violates an order.

While current law, section 5 of P.L.2014, c.31 (C.2A:162-19), permits a prosecutor to make a motion for pretrial detention for a contempt violation under PDVA (because it is a violation listed in the definition of “domestic violence,” cross referenced in C.2A:162-19), the current law does not expressly permit a prosecutor’s motion for a contempt violation under VASPA. This bill expands C.2A:162-19 to permit a prosecutor to make a motion for pretrial detention for a violation of an order entered under the provisions of VASPA.

As amended and reported by the committee, this bill is identical to the First Reprint of Assembly Bill No. 4835, also reported by the committee on this date.

This bill was pre-filed for introduction in the 2026-2027 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 align section 4 of P.L.2014, c.31 (C.2A:162-18) with the new provisions of section 5 of P.L.2014, c.31 (C.2A:162-19) being added by the bill as introduced, authorizing the court to order the pretrial detention of a defendant for violation of an order entered under VASPA or the PDVA, particularly one that is only graded as a disorderly persons offense as explained in the statement above.