

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 2864

# STATE OF NEW JERSEY

DATED: JUNE 3, 2004

The Assembly Judiciary Committee reports favorably Assembly Bill No. 2864.

This bill would make it a crime of the third degree for a person to attempt, via electronic or any other means, to lure or entice a person into a motor vehicle, structure or isolated area, or to meet or appear at any place, with a purpose to commit a criminal offense with or against the person who was lured or enticed or against any other person.

The bill, which contains language similar to that in N.J.S.A.2C:13-6 concerning luring or enticing a child, would apply to persons who lure or entice an adult in order to commit a crime against that adult, as well as to persons who lure or entice an adult in order to have that adult carry out the commission of a crime against a third person. The provisions of the bill would not preclude, if the evidence warrants, an indictment or conviction for attempted kidnapping or for any other crime or offense.

This bill was prompted by a case in Wood-Ridge where prosecutors say that a woman was menaced by a stranger who parked his van near her home, leered at her and frightened her into calling the police. The man had allegedly intended to commit a sexual assault against her after being enticed into coming to her home by a message he thought she had posted in an Internet chat room. In actuality the message had not been posted by the woman, who knew nothing about it, but according to prosecutors, had been posted by Jonathan Gilberti, who had posed as the woman in the chat room. Mr. Gilberti had allegedly posted the woman's name, address, physical description and the hours she would likely be home alone, saying that "she" was inviting men to come to her home to rape her.