

ASSEMBLY, No. 1085

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

SYNOPSIS

Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning compensation for victims of crime and
2 amending P.L.2007, c.95.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 2 of P.L.2007, c.95 (C.52:4B-3.2) is amended to read
8 as follows:

9 2. a. There is hereby established in the Department of **the**
10 Treasury **Law and Public Safety** the Victims of Crime Compensation
11 **Agency Office**.

12 b. The chief executive officer of the Victims of Crime
13 Compensation **Agency Office** shall be the **executive** director, who
14 shall be appointed by the Governor, with the advice and consent of the
15 Senate. The **executive** director shall serve at the pleasure of the
16 Governor. The Governor may appoint an acting **executive** director
17 to serve as chief executive officer of the Victims of Crime
18 Compensation **Agency Office**, who may be the person serving as
19 chairman of the Victims of Crime Compensation Board on the
20 effective date of P.L.2007, c.95 (C.52:4B-3.2 et al.), and who shall
21 serve as the **executive** director of the Victims of Crime
22 Compensation **Agency Office** until **his** a successor is appointed
23 and qualifies. The **executive** director shall, in consultation with the
24 Review Board established pursuant to subsection c. of this section,
25 develop, establish and supervise all practices and procedures of the
26 **agency office**.

27 c. There is hereby established in the Victims of Crime
28 Compensation **Agency Office** the Victims of Crime Compensation
29 Review Board which shall be composed of five citizens, to be
30 appointed by the Governor, with the advice and consent of the Senate,
31 one of whom shall be designated chairman by, and serve as such at the
32 pleasure of, the Governor. At least two members of the board shall, by
33 training or experience, have expertise in the rights of crime victims.
34 At least two members of the board shall have direct knowledge or
35 experience related to the trauma of criminal victimization. At least one
36 member shall have experience as a medical professional working with
37 trauma victims. At least one member of the board shall be an attorney
38 admitted to the practice of law in the State of New Jersey and who
39 shall have practiced law in the courts of New Jersey for a minimum of
40 five years. The purpose of the Victims of Crime Compensation
41 Review Board shall be:

42 (1) to hear appeals of decisions of the Victims of Crime
43 Compensation **Agency Office** involving issues of victim
44 compensation;

EXPLANATION – Matter enclosed in bold-faced brackets **thus** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 (2) to consult with the **【executive】** director in developing,
2 establishing and supervising all practices and procedures of the
3 **【agency】 office**;
- 4 (3) to review individual and supplemental awards to a victim or a
5 victim's family in excess of \$10,000 in the aggregate, and awards of
6 attorney fees for legal representation to victims;
- 7 (4) to review, on at least a bi-monthly basis, information detailing
8 the aggregate claims received and paid by the **【agency】 office**, and the
9 operations of the **【agency】 office**; and
- 10 (5) to review and, if appropriate, approve any rules and
11 regulations, standards, and maximum rates and service limitations for
12 reimbursement proposed by the **【agency】 office**.
- 13 d. All the functions of the Violent Crimes Compensation Board
14 and the Victims of Crime Compensation Board are continued in the
15 Victims of Crime Compensation **【Agency】 Office** and the Victims of
16 Crime Compensation Review Board. Whenever in any law, rule,
17 regulation, judicial or administrative procedure or otherwise, reference
18 is made to the Violent Crimes Compensation Board or to the Victims
19 of Crime Compensation Board, the same shall mean and refer to the
20 Victims of Crime Compensation **【Agency】 Office** or the Victims of
21 Crime Compensation Review Board, as the case may be.
- 22 e. For the purposes of this section, "medical professional" means
23 a physician, physician assistant, advanced practice nurse, or registered
24 nurse who is appropriately licensed by the State of New Jersey.
25 (cf: P.L.2007, c.95, s.2)

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27 2. This act shall take effect immediately.
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30 STATEMENT

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32 This bill requires certain members of the Victims of Crime
33 Compensation Review Board to have specific expertise. Under the bill,
34 two members would be required to have expertise in the rights of
35 crime victims, at least two members would be required to have direct
36 knowledge or experience related to the trauma of criminal
37 victimization, and at least one member would be required to have
38 experience as a medical professional working with trauma victims.

39 The purpose of the board is to:

40 (1) hear appeals from decisions of the Victims of Crime
41 Compensation Office involving issues of victim compensation;

42 (2) consult with the director regarding the practices and procedures
43 of the office;

44 (3) review certain individual and supplemental awards to a victim
45 or a victim's family and awards of attorney fees for legal
46 representation to victims;

1 (4) review information regarding office operations and claims
2 received and paid by the office; and

3 (5) review and, if appropriate, approve any rules and regulations
4 pertaining to reimbursement proposed by the office.

5 Under current law, members of the board are not required to have
6 any background in or training pertaining to crime victims' rights. The
7 only requirement is that of the five citizens appointed by the Governor
8 with the advice and consent of the Senate, at least one is required to be
9 an attorney licensed in this State with five years of experience.

10 This bill provides that in addition to at least one attorney, the board
11 would be comprised of:

12 (1) two members who have expertise in the rights of crime victims;

13 (2) at least two members who have direct knowledge or experience
14 related to the trauma of criminal victimization; and

15 (3) at least one member who has experience as a medical
16 professional working with trauma victims.

17 The bill defines "medical professional" as a physician, physician
18 assistant, advanced practice nurse, or registered nurse who is
19 appropriately licensed by the State of New Jersey.