

ASSEMBLY, No. 1991

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

SYNOPSIS

Directs AOC to establish training for judges concerning sexually violent offenses.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning sexually violent offense training for certain
2 judges and judicial personnel and supplementing chapter 14 of
3 Title 2C of the New Jersey Statutes.

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

1. a. (1) The Administrative Director of the Courts shall develop and approve a training course and a curriculum on handling cases including charges involving sexually violent offenses. All judges and judicial personnel in the Criminal Division of the Superior Court shall participate in core training regarding issues such as the dynamics of sexual violence, the impact of sexual violence on survivors and families, trauma-informed danger assessments, abuser intervention and anger management programs, sexual violence risk factors and lethality, the impact of sexually violent crime on society, and the statutory and case law concerning sexually violent offenses. This training course shall be reviewed at least every two years and modified by the Administrative Director of the Courts from time to time as need may require.

(2) The Administrative Director of the Courts shall be responsible for ensuring that all judges and judicial personnel in the Criminal Division of the Superior Court attend initial training within 90 days of appointment or transfer and annual in-service training as described in this act.

26 b. As used in this act, “sexually violent offense” means:

(1) aggravated sexual assault; sexual assault; aggravated criminal sexual contact; kidnapping pursuant to subparagraph (b) of paragraph (2) of subsection c. of N.J.S.2C:13-1; criminal sexual contact; felony murder pursuant to paragraph (3) of N.J.S.2C:11-3 if the underlying crime is sexual assault; an attempt to commit any of these enumerated offenses; or a criminal offense with substantially the same elements as any offense enumerated above, entered or imposed under the laws of the United States, this State or another state; or

(2) any offense for which the court makes a specific finding on the record that, based on the circumstances of the case, the person's offense may be considered a sexually violent offense such as stalking or invasion of privacy.

41 2. This act shall take effect immediately.

STATEMENT

46 This bill directs the Administrative Director of the Courts to
47 establish a training course and a curriculum on the handling cases
48 involving charges involving sexually violent offenses.

1 Recent allegations of improper and potentially criminal sexual
2 behavior in the workplace involving State workers demonstrate that,
3 far from being isolated offenses impacting a single victim, crimes
4 involving sexual violence can have long term and far-reaching
5 impact on survivors, their families and coworkers and society at
6 large. Therefore, it is imperative that key judges and court
7 personnel maintain an up-to-date knowledge base concerning the
8 nature and impact of sexually violent offenses.

9 The bill defines a “sexually violent offense.” It permits the court
10 to make a specific finding that other offenses may be considered,
11 for example, stalking or invasion of privacy if the facts demonstrate
12 a possibility of violence.