

ASSEMBLY, No. 3464

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

SYNOPSIS

Establishes a Gun Court Pilot Program in Passaic County.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing a gun court pilot program.

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

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6 1. The Legislature finds and declares that the use of guns in the
7 commission of violent crimes exposes the citizens of this State,
8 especially citizens of urban areas, to increasing peril. Because of
9 the hazards posed by criminals who use guns and other dangerous
10 weapons in the commission of crimes, it is fitting and proper that a
11 special court with judges knowledgeable in criminal law and
12 procedure, particularly in relation to violent crime, be established to
13 adjudicate these cases with expediency. Establishing a Gun Court
14 Pilot Program in Passaic County will provide information
15 concerning the advantages of operating a specialized court to deal
16 exclusively with crimes committed with guns and other dangerous
17 weapons and the feasibility of expanding such a program to the
18 courts in all the counties of this State.

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20 2. a. There is hereby established a three-year “Gun Court Pilot
21 Program” in the Superior Court in Passaic County. The
22 Administrative Office of the Courts shall be responsible for
23 administering the program.

24 b. The court may refer any criminal case where a gun or other
25 weapon was used in the commission of the crime to the Gun Court.

26 c. Judges assigned to the Gun Court shall have extensive
27 knowledge of and experience in criminal law, criminal procedure,
28 and criminal sentencing, particularly in relation to violent crime.

29 d. The decision of a judge of the Gun Court shall be binding
30 and subject to the right of appeal to the Appellate Division of the
31 Superior Court.

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33 3. The Administrative Office of the Courts shall monitor the
34 Gun Court and report to the Legislature 12 months after the
35 organization of the pilot program and within six months after
36 expiration of the pilot program. The reports shall include the
37 impact of the pilot program on criminal sentencing and the court’s
38 calendar and workload. The reports also shall evaluate the
39 effectiveness of the pilot program and recommend whether the
40 program should be continued or expanded.

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42 4. The Supreme Court of New Jersey may adopt court rules
43 appropriate or necessary to effectuate the purposes of this act.

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45 5. This act shall take effect on the first day of the third month
46 after enactment and shall expire three years after the effective date.

STATEMENT

This bill creates a three-year Gun Court Pilot Program in the Superior Court in Passaic County.

Under the provisions of the bill, the Administrative Office of the Courts would administer the program. Any criminal case where a gun or other dangerous weapon was used in the commission of the crime could be referred to the Gun Court. Judges assigned to the Gun Court are to have extensive knowledge of and experience in criminal law, criminal procedure, and criminal sentencing. Decisions would be binding and subject to the right of appeal to the Appellate Division of the Superior Court.

The Administrative Office of the Courts is to monitor the Gun Court and report to the Legislature 12 months after the organization of the pilot program and within six months after its expiration. The reports are to include the impact of the pilot program on criminal sentencing and the court's calendar and workload. The report also would evaluate the effectiveness of the pilot program and recommend whether the program should be continued or expanded.